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SELECTIONS

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FROM THE

CORRESPONDENCE

OF THE

EXECUTIVE OF NEW JERSEY,

FROM 1776 TO 1786.

PUBLISHED BY ORDER OF THE LEGISLATURE.

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.N54

STATE OF NEW JERSEY.

Be it Resolved by the Senate and General Assembly of the State of New Jersey. SEC. 1. That the Governor, Secretary of State, and Committee on Education of the House of Assembly be authorized to cause to be published at the expense of the State, such number of copies as they may deem proper of all manuscripts, letters, and other matters now in the State Library or office of the Secretary of State, as they may select. That they also be authorized to have said copies neatly bound, and deposited with the Treasurer of this State, to be disposed of as may hereafter be directed by law.

SEC. 2. *And be it enacted*, That the Treasurer be authorized to pay on warrant of the Governor, the expense incurred in carrying the foregoing resolution into effect.

APPROVED, *March* 9, 1848.

COMMITTEE:

Hon. DANIEL HAINES. *Governor.*
CHARLES G. McCHESNEY, *Secretary of State.*

J. G. GOBLE, *Chairman,*
WM. W. BENNET,
OLIVER S. STRONG.
M. F. CARMAN,
J. ACKERMAN,
} *Committee on Education.*

PREFACE.

It is in state papers and among public records, that we must seek for the facts of history. From these, the historian draws those materials which he combines and arranges, until under his hand, they assume the shape of a narrative, at once systematic, truthful and attractive.

The American Revolution is one of the most interesting and important events which can occupy the attention of a reflecting mind, whether we consider its more immediate or its ultimate and probable results; whether we view it as giving existence to a great Republic of unparalleled extent and rapid increase, or direct our thoughts to the influence which that republic, its free institutions, and its bold example, are now exerting, and are destined still further to exert, upon the political and social condition of the other nations of the world.

It is well known that the State of New Jersey was emphatically the battle-ground of the Revolution; none of the "immortal thirteen" maintained a more prominent position, or performed a greater amount of public duty, during that memorable era. It follows, therefore, that the Correspondence of the Executive, and other similar documents which have survived the Revolution, are peculiarly interesting. In consequence of the perishable nature of these manuscripts, and the loss and injury to which, from various causes, they are necessarily exposed in their present situation, the Legislature of the State have deemed it expedient to take measures to preserve what remained of these valuable records, and to collect and arrange them in such a manner, as to render them accessible and useful to the student of our revolutionary history. By a resolution of both Houses, which received the approval of the Governor, at the last session of the Legislature, it was provided, that the Governor, Secretary of State, and Committee on Education of the House of Assembly, be authorized to cause to be published at the expense of the State, such number of copies as they may deem proper, of all manuscripts, letters, and other matters, now in the State Library, or office of the Secretary of State, as they may select. That they also be authorized to have said copies neatly bound, and deposited with the Treasurer of this State, to be disposed of as may hereafter be directed by law. Under this resolution of the Legislature, an examination of the manuscripts in question has been made. Upon such examination, a consider-

erable number of the manuscripts were found to be of a private nature, and these it was not thought worth while to publish. They would only swell the size of the volume, without materially increasing its value.

The Executive Correspondence of this State during the Revolutionary War, was very extensive and voluminous; but the frequent changes of the seat of government, and the many accidents and disasters necessarily connected with such a warfare as that of which our State was the principal theatre, have scattered many of the papers. Not a few of them are lost; and of those which remain, some of them are mutilated and defaced, partly because they have not been kept with proper care, and partly from the disposition occasionally evinced by those who have inspected these precious remains of the past, to appropriate to themselves certain portions of the manuscripts as relics of the men and events of revolutionary times. In their present condition, however, these papers, though in many instances disconnected and imperfect, so as not to form a continuous chain of public documents, (for many links are wanting,) nevertheless contain much valuable information, and will be found amply to repay the perusal of any one to whom the incidents of the revolutionary war, the efforts, the sacrifices, and the privations of a patriot ancestry, in their successful struggle for the rights of freemen, furnish matter for interesting investigation, grateful emotion, and improving reflection. This volume, therefore, is given to the

world in the hope that its contents will not be found wholly to disappoint public expectation, either in the historical importance of the documents themselves, or the degree of care taken in their selection and arrangement for the press.

Newark, Dec. 28, 1848.

CONTENTS.

1776. PAGE.

February 21.—John Smyth, Treasurer of the Province of East Jersey, to Samuel Tucker, President of Provincial Congress —Relating to his continuance in office, - - - 1

February 22.—Same to the same, - - - - 2

February 26.—Same to the same, - - - - 3

March 26.—Resolves of the Committee of Safety—to raise three Battalions of Militia for the defence of New York, - 4

June 18.—The President of the Continental Congress to the Convention of New Jersey—Requesting that the General at New York may be empowered to call for such militia to his aid from New Jersey as he may deem necessary, - - 6

August 8.—General commanding at New York to the President of the Provincial Congress—Relating to suspicious persons, and calling for reinforcements, - - - - 7

September 15.—Brig. Gen. Matthias Williamson at Elizabethtown to the Governor—Accepting his commission, and referring to complaints of the militia, - - - - 9

September 16.—John DeHart, of Elizabethtown, to the Legislature—Acknowledging his election to the Chief Justiceship of New Jersey, - - - - - - 11

September 19.—Dep. Qr. Mast. Gen. Clement Biddle, at Perth Amboy, to the Governor—Relating to supplies of grain required for the army, - - - - 11

September 30.—Archibald Kennedy at Morristown to the Governor—Asking to be relieved on parole, from confinement, - 12

October 2.—The President of Continental Congress at Philadelphia to the Assembly of New Jersey—Relating to the appointment of Surgeons, and the filling of vacancies in Congress, - - - - - - 13

October 9.—The same to the same—Relating to the pay of the troops, and requesting the appointment of a Committee to visit the army, and secure the re-enlistment of the men from New Jersey, - - - - - - 14

October 18.—Col. William Maxwell, at Point Independence, to the Governor, Council, and Assembly, of New Jersey—Stating the unwillingness of the men to re-enlist—mentioning Col. Shrieve—Major Grey—Capt. Shute—Capt. Scott, 15

November 12.—The President of the Continental Congress to Governor Livingston—Recommending adoption of Measures to prevent intercourse with the Enemy, - - - 18

1776. PAGE.

November 19.—George Taylor of Monmouth to John Covenhoven, Member of the Assembly—Relating to his acceptance of a Colonel's Commission, &c. - - - 18

November 21.—S. Forman to Joseph Holmes, Member of Assembly—Referring to the Refusal of Col. Taylor to take oath of Office, - - - - - - - - 19

December —.—Colonel Wm. DeHart to the Governor—Relating to the filling up of Vacancies in his Regiment, &c. - 20

December 30.—The President of Continental Congress to the Governor—Covering Resolves conferring more ample powers on the Military Department, - - - - 21

1777.

January 28.—Col. Oliver Spencer at Elizabethtown to Stephen Crane of the Assembly—Giving a list of the Commissions wanted in his Battalion, - - - - 22

January 31.—General Washington at Morristown to the Legislature—Calling for the passage of Laws to prevent Desertion, 23

February 5.—Colonel David Chambers, at Raritan, to John Hart, Speaker of the Assembly—Recommending persons as Field Officers in his Battalion, - - - - - 24

February 5.—Jonathan D. Sergeant, Delegate to the Continental Congress at Baltimore, to John Hart, Speaker, &c.—Desiring some other person to be appointed in his place, - 24

February 8.—Abraham Clark, Delegate to the Continental Congress, at Baltimore, to John Hart, Speaker, &c.—Giving information of the action of some of the Colonies in regulating prices—Condemning a proclamation of Washington—Referring to the Tories of Maryland—The contemplated removal of Congress, &c., - - - - 25

February 9.—James Sullivan, Chairman of a Committee of Massachusetts House of Representatives, to the Governor—Enclosing an act of the Legislature for regulating prices, and a resolution preventing the exportation of sundry articles, - - - - - - - 28

February 12.—General Phil. Dickinson, at Raritan, to the Governor—Desiring to be released from his command, - 30

March 17.—Colonel Israel Shrieve, at Princeton, to the Governor—Asking for his certificate for the Staff Officers of his Regiment, - - - - - - 31

March 18.—Governor Livingston to Daniel Rittenhouse, Vice President of Pennsylvania Council of Safety—Sending five prisoners taken at Squam Beach, - - - - 32

March 27.—Colonel John Bull, at Waterfield, to the Governor—Informing him of the pay received by laborers and soldiers in Pennsylvania, - - - - - 33

1777. PAGE.

March 28.—James Wilson, at Philadelphia, to the Governor — Advising the apprehension of John Curlis, of Shrewsbury, for intercepting a dispatch of General Washington, - 34

March 26 *to April* 3.—Minutes of the Commissioners of New York, New Jersey, Pennsylvania, Delaware, Maryland and Virginia, met at Yorktown to adopt a system for regulating the price of labor, of goods imported, &c., - - 34

April 1.—General Nathaniel Heard, on the Raritan, to the Governor—Enclosing a letter from Colonel Beavers, asking for instructions, &c., - - - - - - - 45

March 29.—Colonel Joseph Beavers to General Heard—Referring to neglect of duty by his officers, - - - 46

April 5.—Charles Pettit, Secretary of the Province under the Royal government, to Governor Livingston—Referring to the removal of the Records of the State, - - - 47

April 7.—Silas Condict, at Morristown, to the Governor—Accepting an appointment as one of the Council of Safety, &c. 49

April 8.—William Smith and Benjamin Rumsey, at Philadelphia, to the Governor—Respecting a Mr. Campbell, - - 50

April 10.—Examination of Jesse Woodward, of Monmouth County, - - - - - - - - 51

April 10.—Francis Wade, at Allentown, to the Governor—Enclosing the foregoing, - - - - - - 53

April 16.—General Washington to the Governor—Referring to Col. Duyckinck then in confinement, - - - 54

April —.—Francis Hopkinson, at Philadelphia, to the Governor —Relating to the apprehension of John Curlis, - - 56

April 25.—General Israel Putnam to the Governor—Accompanying several prisoners, - - - - - 57

April 25.—Rev. A. McWhorter and Elisha Boudinot of Newark to the Governor—Recommending certain persons as officers of the Militia, - - - - - - 58

May 7.—Major John Taylor, commanding at Cranberry, to the Governor—Sending sundry prisoners, - - - 59

May 15.—The same to the same—Relating to prisoners sent, - 60

May 19.—Colonel David Brearley, Jr., to the Governor—Sending a prisoner, - - - - - - - 60

June 12.—John Cox and Elijah Clark, at Egg Harbor, to the President of the Council of Safety—Detailing the proceedings of an enemy's vessel, &c., - - - - 61

June 12.—The President of the Continental Congress to the Governor—Calling for 500 men to be sent to Billingsport, - 63

1777. PAGE.

June 14.—Robert Morris, Judge of the Supreme Court, to the Governor—Relating to the proceedings of the Court at Newton, Sussex Co., - - - - - - 63

June 15.—Charles Pettit, at Burlington, to the Governor—Relating to Courts—and the movements of the enemy, - - 67

June 17.—General Nathaniel Heard, at Pompton, to the Council of Safety, - - - - - - - 69

June 19.—Charles Pettit, at Burlington, to the Governor—Recommending a movement of militia towards the coast—Giving his views as to the state of the government, the militia, &c., - - - - - - - - 69

June 21.—Joseph Hedden, Jr., of Newark, to the Governor—Transmitting the names of women whose husbands were with the enemy—Recommending Elisha Boudinot for Deputy Surrogate, &c., - - - - - 72

June 26.—General Phil. Dickinson to the Governor—Accepting the appointment of Major General, &c., - - - 73

June 30.—Major Samuel Hayes, of Newark, to the Governor—Giving the names of women sent to New York with their children, - - - - - - - 75

June 30.—Joseph Hedden, Jr., to the Governor—Relating to the prisoners in jail at Newark, - - - - 76

June 30.—Chief Justice John C. Symmes, at Newton, to the Governor—Relating to the recapture of escaped criminals, 77

July 1.—Joseph Hedden, Jr., at Newark, to the Governor—Transmitting names of prisoners and their offences, - 78

July 2.—Brig. Gen. David Forman, at Middletown, to Edward Taylor—Directing him to remain on his farm at Middletown as a suspected person, - - - - - 80

July 3.—Governor Livingston to General Winds—Directing him to detach 200 men to be employed in apprehending disaffected persons, - - - - - - 80

July 7.—Governor Livingston to General Washington—Referring to the above mentioned detachment, - - - 81

July 9.—Joseph Hedden, Jr., of Newark, to the Governor—Giving the names of women whose husbands were with the enemy, - - - - - - - 82

July 21.—Same to the same—Sending sundry prisoners, &c., - 83

August 1.—General Phil. Dickinson, at Trenton, to the Governor—Recommending the raising of a troop of horse, - - 84

August 12.—William Paterson, at Newark, to the Governor—Sending a Mr. Macomb arrested on suspicion, - - 86

August 17.—Captain Webster at Piscataway, to Colonel Frelinghuysen—Accompanying prisoners, - - - - 88

1777. PAGE.

August 25.—Brig. Gen. Silas Newcomb, at Woodbury, to the Governor—Giving an account of the apprehension of sundry persons in Cumberland county, &c., - - - 89

August 21 —Silvanus Seely, of Elizabethtown, to the Governor, —Sending Benjamin Hatfield, - - - - 91

August 21.—Captain John Craig to Colonel Frelinghuysen—Giving information in reference to operations in Woodbridge Neck, - - - - - - 92

August 23.—Ebenezer Hazard, at Philadelphia, to the Governor —Relating to Andrew Buskirk, a post-rider, - - 93

August 25.—Colonel Frederick Frelinghuysen, at Raritan, to the Governor—Commenting on the state of the country, the apparent want of loyalty in Hunterdon—Sullivan's Expedition to Staten Island, &c. - - - - 94

August 25.—Edward Taylor, of Middletown, to the Governor and Legislature—Relating to his Imprisonment, - - 96

August 27.—List of prisoners ordered to Princeton from Elizabethtown, by Col. F. Frelinghuysen, - - - 98

September 5.—The President of Continental Congress at Philadelphia, to the Governor—Complimentary to the Militia of New Jersey, &c., - - - - - - 98

September 12—The same to the same—Calling out four thousand of the Jersey militia, - - - - - 99

September 20.—The Governor, at Haddonfield, to Brig. Gen. Newcomb—Ordering the Militia of Woodbury to march against the enemy, - - - - - 100

October 4.—The Governor, at Princeton, to the President of the Continental Congress—Remonstrating against the removal into New Jersey of Governor Penn and Chief Justice Chew, of Pennsylvania, &c., - - - - 101

October 4.—Colonel Wm. Maxwell, to the Governor—Relating to the insufficiency of the clothing furnished the troops, - 103

October 6.—General Washington, at Philadelphia, to General Forman—Authorizing the discharge of some of the Jersey Militia, - - - - - - - 104

October 9.—Elisha Boudinot, at Newark, to the Governor—Declining the appointment of Secretary to the Committee of Safety, - - - - - - 105

October 17.—The President of the Continental Congress to the Assembly—Relating to the clothing required for the troops. 106

October 18.—William Paterson, at Morristown, to the Governor —Respecting the mode of trial in case of sundry insurgents —Apprehensions felt at Newark about Captain Kennedy's course—The mode of selecting the detachment sent to the service in Pennsylvania—Announcing Burgoyne's Surrender, &c., - - - - - - - 107

1777. PAGE.

November 20.—Jonathan Elmer, Delegate in Congress, at Yorktown, to the Speaker of the Assembly—Announcing his intended return to New Jersey, and commenting upon his pay in comparison with that of Delegates from other States, 109

December 23.—The President of the Continental Congress, at Yorktown, to the Assembly—Transmitting resolves against "the arts and avarice of engrossers and extortioners," &c., 111

1778.

May 25.—The Board of War to the Governor—Applying for the Andover Iron Works, - - - - - 113

May 28.—Colonel Benjamin Flower, at Lebanon, to the Governor—Relating to the same subject, - - - 114

June 17.—The President of the Continental Congress, at Yorktown, to the Governor—Commenting upon the course of the enemy, calling for reinforcements, and informing him of an embargo laid on provisions of all kinds, - - 116

June 16.—General Wm. Winds, at Elizabethtown, to the Legislature—Stating his great want of ammunition, - - 117

July 13.—Nathaniel Scudder, of Freehold, to John Hart, Speaker of the Assembly—Recommending the granting of further powers to the Delegates in Congress as to the ratification of the confederation, mentioning some of the objections, &c., - - - - - - 119

September 10.—Quarter-Master-General Charles Pettit, at White Plains, to General Washington—Relating to Forage, - 123

September 6—Colonel Clement Biddle to Quarter-Master-Gen. Pettit, enclosed in the foregoing, - - - - 126

September 29.—Governor Livingston to the Legislature—Enclosing the two foregoing letters, - - - - 128

September 17.—Jonathan Elmer to the Legislature—Accepting the appointment of Delegate to Congress, - - - 128

November 2.—Colonel Benjamin Holme, at Cumberland. to the Governor—Resigning his commission, - - - 129

November 11.—Nathaniel Scudder, Gouverneur Morris and William Whipple, a Committee of Congress, at Philadelphia, to the Governor—Desiring enquiries to be instituted into the agricultural resources of the states, - - - 130

November 11.—The same to the same—Suggesting measures to prevent the engrossing of supplies, - - - 132

November 11.—The same to the same—Relating to officers engaged in engrossing articles required for the public, - 133

December 2.—P. Scull, Secretary of the Board of War, to the Governor—Answering complaints of a want of clothing by the New Jersey troops, - - - - - 134

1779.

PAGE.

January 7.—Chief Justice John C. Symmes to the Governor—Detailing the cases of a criminal character which had come before him in Gloucester and Cumberland, - - 135

January 14.—Colonel Clement Biddle to the Governor—Referring to the supplies of Forage, - - - - 139

January 19.—Gouverneur Morris and Wm. Whipple, a Committee of the Continental Congress, to the Governor—Referring to the practice of engrossing, - - - 140

March 25.—John Fell, Delegate to Congress, at Philadelphia, to the Governor—Complaining of the absence of his colleagues, &c., - - - - - - - 141

April 17.—Memorial of the Officers of the Jersey Brigade to the Legislature—Asking for pay in Spanish milled dollars, &c., 143

April 25.—General William Maxwell, at Elizabethtown, to the Legislature—Relating to the wants of the officers and soldiers of the Jersey Brigade, - - - - 146

April 26.—The same to the same—Commenting upon public affairs and the evils likely to result from the associations of Captains Kennedy and McCloud and Mrs. Chandler, - 151

April 29.—Frederick Frelinghuysen, Delegate to the Continental Congress, to Baleb Camp, Speaker of the Assembly—Resigning his seat, - - - - - - 155

May 6.—Memorial of the Officers of the Jersey Brigade to the Legislature—Respecting their pay, - - - 156

May ---.—Major John N. Cummings and Capt. Joseph Anderson in behalf of their fellow officers, to the Legislature—Asking for the adoption of measures for their relief, - - 157

May 6.—Brig. General William Maxwell, at Elizabethtown, to General Washington—Referring to the complaints of the Officers of the first regiment, - - - - 159

May 7.—General Washington, at Middlebrook, to Brig. General Maxwell—Answering the foregoing, - - - 161

May 8.—Officers of the first regiment, at Elizabethtown, to General Washington—Referring to their Memorials, and noticing the above letter to General Maxwell, - - 164

May 10.—General Washington to Brig. General Maxwell—Commenting upon the course of the Officers, - 166

May 22.—The Board of War to the Governor and Speaker of the Assembly—Giving the members, &c., of the New-Jersey forces in service and required, - - - 168

June ---.—General Washington, at Middlebrook, to the Governor—Referring to the want of wagons, - - - 172

August 26.—The same to the same—Relating to the want of Clothing, - - - - - - - - 173

1779. PAGE.

September 23.—Governor Livingston to the House of Assembly —Answering enquiries respecting the state regiment, - 175

September 25.—Colonel John Taylor, on Raritan, to the Governor—Respecting the State Regiment, - - - 177

September 27.—General Washington, at West Point, to the Governor—Recommending vigorous preparations in view of a co-operation with an expected French squadron, - - 181

September 27.—Enos Kelsey, at Princeton, to the Speaker of the Assembly—Giving an estimate of supplies required for the Jersey Brigade, - - - - - - 183

October 4.—George Clinton, Governor of New York, at Kingston, to the Governor—Enclosing sundry Resolutions of the Legislature of New York, - - - - - 185

October 1.—Resolutions of the Legislature of New York—Against outrages committed upon the inhabitants of Long-Island, &c.—Enclosed in the foregoing Letter, - - 186

October 4.—General Washington, at West Point, to the Governor —Calling for 2000 men from New Jersey, and urging the necessary measures for supplying them with Provisions, - 187

October 5.—From Wm. H. Houston, Delegate to Congress, at Philadelphia, to the Governor—Relating to the Recal of Arthur Lee, as Commisssioner at Madrid, - - - 191

October 22–25.—Proceedings of the Legislature of New York, on a proposition of the Legislature of New Jersey, for a general regulation and limitation of Prices, - - 195

October 25.—Pierre Van Cortlandt, President of the Senate, and Evert Bancker, Speaker of the Assembly of the State of New York, to the Governor and Speaker of the Assembly, —Transmitting the foregoing Proceedings, - - 198

October 30.—Isaac Collins to the Legislative Council—In answer to a call for the author of an article signed "Cincinnatus," in the New Jersey Gazette, - - - 199

November 12.—Wm. H. Houston, Delegate to Congress, at Philadelphia, to the Governor—Relating to the Finances—Taxes, &c.—The case of the Sloop Active, &c., - - 200

November 22.—John Witherspoon, Nathaniel Scudder, John Fell, and Wm. H. Houston, Delegates in Congress, at Philadelphia, to the Governor—Referring to the Plan for the Limitation of Prices, - - - - 204

December 21.—General Washington, at Morristown, to the Governor—Requesting the adoption of measures for calling out the whole Militia of the State in the most speedy manner, 206

1780.

February 14.—Chief Justice Symmes to the Governor—Relative to disagreements between the officers and men of the New Jersey Line as to the period of enlistments, - . 210

1780. PAGE.

February 17.—Abraham Clark, Delegate to Congress at Philadelphia, to the Speaker of the Assembly—Referring to the Convention for regulating Prices—And subjects before Congress, - - - - - - - 212

February 20.—General Washington at Morristown to the Governor—Transmitting a return of the Quota of the Troops from New Jersey, - - - - - 207

February 26.—The same to the same, - - - - 214

March 20.—The President of Congress to the Governor—Relating to the Act of Congress for bringing in the Continental Currency, - - - - - - 215

May 22.—Wm. H. Houston, Delegate to Congress at Philadelphia to the Governor—Relating to Measures of Finance—The Embargo Act, &c. - - - - - 216

June 2.—General Washington at Morristown to the Governor—Calling for Reinforcements, - - - - 219

June 4.—Wm. H. Houston, Delegate in Congress at Philadelphia, to the Governor—Informing him of the Capitulation of Charlestown, - - - - - - 221

June 5.—The same to the same—Enclosing Resolutions of Congress respecting Deserters and the defence of the Interior, 224

June 12—Philip Schuyler, Chairman of a Committee of Congress, then at Morristown, to the Governor—Relating to the critical condition of affairs, - - - - 225

May 25.—General Washington to a Committee of Congress—Enclosed in the foregoing, - - - - 228

June 15.—The President of Congress to the Governor—Renewing their application for aid, - - - - 231

June 19.—John Matthews and Nathaniel Peabody, Committee of Co-operation at Morristown, to the Governor—Repeating the solicitations for assistance, and enclosing a Letter from General Washington, - - - - - 233

June 19.—General Washington at Springfield, to the Committee of Co-operation—Enclosed in the foregoing, - - 235

June 20.—The same to the same—Referring to a proposed System of Co-operation among the several states, - - 236

June 23.—The same at Rockaway, to the same—Giving information of the movements of the enemy, and reiterating his wish to have the States urged to a speedy compliance with his requisitions, - - - - - 238

June 23.—The Committee of Co-operation at Morristown, to the Governor—Enclosing the foregoing, - - - 239

June 29.—The President of Congress to the Governor—Calling for Funds, - - - - - - 240

1780. PAGE

June 30.—General Washington, at Ramapaugh, to the Governor—Relating to the time for the arrival of the new levies, &c. 242

July 7.—Benjamin Stoddard, Secretary of the Board of War to the Governor—Informing him of two guns at Carlisle belonging to New Jersey, - - - - - 243

August 16.—The Committee of Co-operation, at Camp Tappan, to the Governor—Calling for Supplies, - - - 244

August 17.—General Washington, at Orange Town, to the Governor—Relating to the New Jersey quota of Troops, - 246

August 19.—The Committee of Co-operation to the Governor—Urging more strenuous exertions to reinforce and supply the army, - - - - - - - 248

August 26.—General Washington, at Bergen, to the Governor—Referring to the prevailing want of Provisions, - - 254

August 27.—The same to the same—On the same subject, - 256

September 3.—The President of Congress to the Governor—Respecting old and new Bills of Credit, &c. - - 258

September 9.—Abraham Skinner, Commissary of Prisoners, to the Governor—Relating to the Jersey prisoners in the hands of the Enemy, - - - - - - 260

September 15.—Hendrick Van Brunt, John Mercer, and Bateman Lloyd, in behalf of the Jersey Prisoners of War on Long Island, to the Governor—Asking the attention of the Legislature to their wants, - - - - 261

Without Date.—Timothy Pickering, Q. M. General, to the Legislature—Setting forth the want of Forage in the Army, - 264

September 14.—The President of Congress to the Governor—Requesting an immediate supply of Cattle, - - 264

October 31.—Abraham Clark, Delegate to Congress at Philadelphia, to Josiah Hornblower, Speaker of the Assembly—Commenting upon a Resolution granting half pay for Life to the officers of the Army, &c., - - - - 267

December 4.—Judge Wm. Patterson, at Raritan, to the Legislature—Declining the appointment of Delegate to Congress, 269

1781.

January 15.—The President of Congress to the Governor—Relating to the Financial Affairs of the country, - - 270

February 8.—The same to the same—Transmitting Resolves of Congress asking for authority to levy a duty upon importations, - - - - - - - 274

March 23.—The same to the same—Transmitting Acts of Congress relating to the Currency, and an assessment of six millions, - - - - - - 277

May 14.—The same to the same—Relating to the want of supplies by the Army, - - - - - 278

1781. PAGE.

May 24.—Abraham Clark, at Trenton, to the Chairman of the Joint Meeting of the Legislature—Resigning his seat as Delegate to Congress, - - - - - 279

May 25.—Gen. Phil. Dickinson to Josiah Hornblower, Speaker of the Assembly—In relation to the condition of the Military Companies in the State, - - - - 280

July 25.—Robert Morris, at Philadelphia, to the Governor—Relating to the accounts of the State, - - - 282

August 22.—The same to the same—Referring to the Supplies demanded by Congress, - - - - - 287

October 23.—Abraham Clark, Delegate to Congress at Philadelphia, to the Speaker of Assembly—Referring to a division of the Islands, &c., in the Delaware Bay and River between Pennsylvania, Delaware and New Jersey. - - 288

October 31.—The President of Congress to the Governor—Transmitting a Proclamation, &c., for general Thanksgiving, 291

November 21.—The Governor, at Trenton, to the Speaker of the Assembly—Relating to his Salary, - - - 294

December 12.—The President of Congress to the Governor—Referring to Acts of Congress calling upon the States to complete their quota of troops, and recommending a census of the inhabitants, - - - - - 296

December 17.—Address of Congress to the States—Calling for renewed exertions, - - - - - 297

December 17.—Abraham Clark, Delegate in Congress at Philadelphia, to John Mehelm, Speaker of the Assembly—Respecting the settlement of the claim of Islands, &c., in the Delaware, - - - - - - 300

1782.

January 22.—General Washington, at Philadelphia, to the Governor—In relation to the finances of the country, - 303

January 31.—The same to the same—Transmitting a return of the men from New Jersey in service, &c., - - 306

March 5.—The same to the same—In reference to the wants of the next campaign, - - - - - 310

May 4.—The same to the same—Urging preparations for the ensuing campaign, - - - - - 312

May 8.—The same to the same—Commenting upon debates in Parliament on American affairs, - - - - 317

July 29.—Robert Morris to the Governor—Relating to the Finances, - - - - - - 318

July 30.—The same to the same—On the mode of collecting taxes, 320

September 16.—Abraham Clark, Delegate in Congress at Philadelphia, to Joseph Cooper—Relating to Islands in the Delaware, - - - - - - 322

1782. PAGE

September 26.—The same to John Mehelm, Speaker of the Assembly—Respecting the quotas of old bills of credit to be sunk by several States—The public debt, &c., - - 324

December 14.—Benjamin Franklin, at Passy, France, to Robert Morris—Relating to the interests of America abroad, - 327

1783.

March 18.—Robert R. Livingston, at Philadelphia, to the Governor—Transmitting copy of Provisional Treaty of Peace, &c. 330

June 5.—Robert Morris to the Governor, . . . 332

June 7.—General Washington to the President of Congress—Transmitting an address of the Officers of the Army to him, with his answer, - - - - - - 333

July 11.—Rober Morris to the Governor—On the state of the Finances, - - - - - - - 340

July 28.—The same to the same, - - - - 343

October 29.—Elias Boudinot, at Princeton, to the Chairman of the Joint Meeting—Requesting to be allowed to retire from public service, - - - - - - 346

November 8.—Governor Livingston to the Legislature—Acknowledging his election as Governor, - - - 348

December 23.—Thomas Mifflin, President of Congress, at Annapolis, to the Governor—Requesting the attendance of Delegates from New Jersey, - - - - 349

December 24.—The same to the same, - - - 349

1784.

October 24.—Governor Livingston to the Legislature—In acknowledgment of his re-election, - - - - 351

1785.

August 24.—The Secretary of Congress to the Governor—In relation to the finances, and the necessity for an enumeration of the inhabitants, &c., - - - - - 352

October 22.—Benjamin Thompson, Commissioner for settling the accounts of New Jersey, at Newark, to the Governor—Relating to the claims of New Jersey, - - - 356

November 13.—Baron Steuben to the Governor—Relating to the purchase of a tract of land near Hackensack, - - 359

November 18.—The Secretary of Congress to the Governor—Asking for the attendance of the Delegates from New Jersey, 359

1786.

February 23.—Patrick Henry, Speaker of the Assembly of Virginia, to the Governor—Informing him of the appointment of a Committee to meet with others from the different States for the purpose of framing regulations for trade, &c. - 360

March 1.—The Secretary of Congress to the Governor—Referring to the absence of Members of Congress, - - 361

CORRESPONDENCE.

From John Smyth, Treasurer, &c. to Samuel Tucker, Esq.
President of the Provincial Congress of New Jersey.

Perth Amboy, February 21st, 1776.

Sir,—In answer to yours of yesterday's date, which came to my hands last evening, I beg you will inform the Congress that I still look upon myself as Treasurer under my former obligation; and am very willing to execute the office in the best manner I can, under the condition I heretofore mentioned to them, and which they thought reasonable, to wit: that my securities and myself be indemnified from all damages whatever that may happen by the provincial chest being taken out of my hands; for they must be sensible of greater risk in the execution of that office when the chest is at a distance, than if it were in my own house. My own misconduct, carelessness or negligence I expect to answer for.

On the 8th instant I wrote you a letter, which I

sent by a special messenger, who, on his return, told me he delivered it into your own hands; I should otherwise have thought myself extremely blameable for not letting the Congress hear from me in so long a time; but as no notice is taken of that letter in yours, conclude it to be mislaid. I am obliged to the Congress for a copy of their Resolve, relative to my receiving Continental money into the Treasury. I should not have wished for their sanction in any other instance than of money to be sunk, but am sorry it should appear in their minutes that I ever refused it. I did at first tell Col. Ford I believed I would not do it, but on a second conference he agreed to take it back with the view of changing it for Jersey money, which he said he believed he could do, and if he could not I told him that I would receive it.

My leg now begins to mend, and hope soon to be able to attend to the chest at Mr. Schenck's, as occasion may require.

I am your most humble servant,

JOHN SMYTH.

From John Smyth to Samuel Tucker, Esq.
President of the Provincial Congress.

Perth Amboy, February 22d, 1776.

Sir,—It is impossible I can give an explicit answer to your letter of yesterday until I have consulted my securities, which I would have done before now, had I not understood from Congress that my securities and myself

were to be indemnified from the additional risk occasioned be the removal of the provincial chest, and am almost certain it is what the Congress consented to; but the place where the chest was to be fixed was the only uncertainty in which case I thought it unnecessary to consult my securities;—but since it must be done, I have dispatched a messenger to Mr. Stevens, the only one of them who lives at a distance, and when I get his answer the Congress shall immediately hear from me again.

I am your humble servant,

JOHN SMYTH.

From John Smyth to Samuel Tucker, Esq.,
President of the Provincial Congress.

Perth Amboy, February 26th, 1776.

Sir,—Mr. Stevens, according to my request, has been so good as to come down to this place, to whom I communicated the letters sent me by the Congress relation to the removal of the Treasury, as I did to my other securities some time before. I find that they are willing to continue security for me, considering the difficulty of the times, provided the chest is removed to a place where the office may be executed in the usual manner. I would therefore propose that as I am not now able, and have little prospect of being so in less than six weeks, to attend the chest if it be removed to Mr. Stevens', who will receive the taxes that are still to be paid in, and the county collectors may be desired

to attend at his house for that purpose; in which case no one will or can have access to the chest but those who have already entered into engagements, and are by law accountable to the public for the due performance of my office, which cannot in justice or reason be expected of me or them, without the chest is suffered to remain in my or their possession.

As this proposal fully comprehends the declared intention of the Congress in removing the chest, I cannot doubt its proving fully agreeable and satisfactory to them. Whenever I am able to attend to the duty of the office abroad, the chest may then be removed to any other place that shall be agreed upon by all concerned,—there to remain until we see happier times.

Mr. Stevens goes home by way of Brunswick, to whom I beg you will please to give your answer, who will forward it to me.

I am your most humble servant,

JOHN SMYTH.

Resolves of the Committee of Safety.

Trenton, March 26th, 1776.

The committee considering the critical situation of the city and province of New York, represented in the letters from brigadier generals Thompson and Lord Sterling, and the recommendation of the Continental Congress to this committee on that subject:

Do order and resolve that three battalions of militia be draughted out of the militia of this province, in

manner following, viz: From Hunterdon county four hundred and forty men, and from Burlington county two hundred and twenty men, who are to join and form one battalion. From Somerset two hundred and twenty men, from Sussex two hundred and twenty men, and from Morris two hundred and twenty men, who are also to join and form another battalion. From Middlesex one hundred men, from Monmouth one hundred and forty men, from Essex two hundred and twenty men, from Bergen two hundred men, who are likewise to join and form another battalion.

The whole to march to the city of New York with the greatest expedition, under the command of the brigadier generals Dickinson and Livingston, and such field officers, captains, and subalterns as are necessary to command the said battalions.

Resolved, that in order to facilitate this service, twelve waggons be furnished to the generals to carry the baggage of the several battalions.

Whereas from the scarcity of arms, the draughts may not all be properly supplied with the same;

Resolved, that it be recommended to the several companies of militia, to lend their arms to such as may want them, and if a sufficient number cannot be obtained in a voluntary manner, the several captains are hereby impowered to impress them, so as to completely equip such as are going upon the present important service, the arms so lent or impressed to be appraised by indifferent persons, if lost or damaged in action, or real service, the value to be paid to the owner by the

province, if lost or injured by negligence the occupier to make good the damages.

Resolved, that the generals may draw on the treasury of the provincial Congress of New Jersey, for the sum of one thousand pounds, if so much be necessary for the subsistence of the troops on their march to the city of New York.

By order of the committee,

SAMUEL TUCKER, President.

From the President of the Continental Congress to the Convention of New Jersey.

Philadelphia, June 18, 1776.

GENTLEMEN,—It is impossible fully to ascertain the strength of our enemies, or the force destined for New York. It is incumbent on us to be prepared to defend ourselves against any number of troops that may be ordered against that place. This, it is apparent, can never be effectually done but by adopting the enclosed resolve, wherein it is recommended by Congress to your colony, to empower the General at New York, to call such part of the militia to his assistance, as may be necessary to repel our enemies.

The great advantages the American cause will receive from the Civil power thus lending its aid to the military, and acting in conjunction with it, are too manifest to be mentioned. The whole strength of a Colony, may, by these means, be drawn to a point, the instant the situation of affairs shall render it necessary.

The colony of Massachusetts Bay, while the British troops lay in Boston, passed a Resolve, at the request of Congress, similar to that which they now recommend to you.

The colony of New Jersey, will, I am persuaded imitate their example on the present occasion; and convince her sister Colonies, that in virtue and love of country, she is determined to be exceeded by none.

I have the honor to be, Gentlemen,

Your most ob't and very humble serv't,

JOHN HANCOCK, President.

From the General commanding at New York, to the President of the Provincial Congress of New Jersey.

New York, August 8, 1776.

SIR—I have received repeated information, that a number of persons known to be inimical to the cause of the American States, or of suspicious characters, have lately removed from this and other places into the county of Monmouth in New Jersey, with intent, no doubt from its situation, of communicating with and aiding our enemies. All those of similar characters on Long Island and the other counties adjacent to this place, will be secured to-morrow morning, and I must urge the necessity on your Congress of adopting the same measures in all those parts of your Province which are most contiguous to the enemy. There are some also of very dangerous characters, who I am informed are lurking in the neighborhood of Hackensack, and what

they call the English Neighborhood, particularly Benjamin Hugget and Frederick Rhinelander.

This measure has now become the more necessary, as from the intelligence I have this day received, there is the greatest reason to believe that the enemy intend to begin their operations in a very few days, and that with a very powerful force. For not only a considerable part of the foreign troops, the British Guards, and an additional number of Scottish troops are lately arrived at Staten Island, but the army from the Southward under General Clinton also joined them last Thursday. I must also urge upon your Congress the absolute necessity of adopting some immediate and effective measures for completing the troops voted, and for affording every other reinforcement to this place that is in their power, by detaching a considerable body of the militia, or in such other manner as will be most effectual.

Of the 3300 voted by your State, we have but 1458, and in the same proportion from the other Colonies, so that you will easily conceive what an alarming situation we are in. As the harvest is now over, and the militia engaged most cheerfully to return if necessary, I persuade myself they will readily turn out upon a representation being made to them of that necessity.

What from a deficiency of the old regiments, sickness and the failure of new levies, we are in danger of being outnumbered by the enemy at least doubly, if not more. The consequences may be fatal unless prevented by the spirit of the country. I have de-

spatched expresses to Connecticut to call in their militia immediately with their arms, blankets, and what ammunition they have, as the supply here to fit their guns is attended with much difficulty and delay. I must beg your attention to the same circumstances as far as the situation of things will admit, but so as not to hinder from marching those who cannot come so provided.

From Brigadier General Williamson to the Governor of New Jersey.

Elizabeth Town, September 15, 1776.

SIR,—I had the honor of receiving by the hands of Peter Sobriesky, Esq., a commission appointing me to the rank of Brigadier General of the Militia Forces of the State of New Jersey.

I am laid under the most sensible obligations to the Legislative Council and Assembly for this distinguishing mark of their favorable opinion of my abilities, and readiness to serve my country, at a time big with events of the most solemn nature that can possibly affect a free people. I can with gratitude promise that, as far as my small abilities enable me, I will execute the trust committed to my care with the utmost fidelity—so help me God.

I must beg leave to trouble your Excellency with some difficulties which have arisen in the militia, and which without a speedy removal will make me despair of supporting this post (immediately under my care) with that strength which its vicinity to the enemy and its importance requires. Their principal complaint is that

they have been often called out and received no pay. This real grievance of theirs your Excellency is well acquainted with, and without a speedy remedy, the important posts at the ferries of this Town will in a great measure be abandoned by our militia. I have but little hope that the militia who were upon duty the month past will be relieved by half their numbers. I believe, sir, that this complaint would be in a great measure removed by the appointment of some person that could be confided in, to the office of a Muster and Pay Master, to attend the different posts, to see that no false returns were made of the men, and who being intrusted with sufficient sums of the public money, might pay them with the greatest punctuality at the expiration of every month's service, which would remove one capital cause of the present difficulties.

Your Excellency well knows the imperfections occasioned by the frequent relieves of the militia; for my part, I think if no expedient is fallen upon to prevent it, they will dwindle away to a mere nothing in three or four relieves more, if the practice of monthly rotation is continued. Should the militia serve six months in turn, they might be made a respectable body, and many great imperfections in discipline removed. I find the ammunition magazines in this town are very deficient. The committee, I believe, have it under consideration, and will make the proper application on that head.

I am, with due regard, your very humble servant,

MATTHIAS WILLIAMSON.

His Excellency, William Livingston, Esq.

From Judge DeHart to the Legislature.

Elizabethtown, September 16th, 1776.

GENTLEMEN,—Mr. Zabriskie by your order acquainted me that I had been elected Chief Justice of the State of New Jersey. This election does me great honor. I can only wish my abilities were equal to that high and important office, but such as they are they shall be exerted to discharge with dignity and uprightness the very great trust reposed in me.

I am, gentlemen, your most obliged and most obedient servant, JOHN DEHART.

To the Hon. the Legislative Council and Assembly of the State of New Jersey.

From Deputy Quarter Master General Biddle to Governor Livingston.

Perth Amboy, September 19th, 1776.

SIR,—I received orders about ten days ago to purchase a quantity of grain for a magazine to be formed above Bomdet's ferry for the supply of provender for the horses of the army on the New York side.

I engaged Col. John Zabriskie near Hackensack to purchase about 2,000 bushels of oats, corn and rye, which he informed me could be got in that neighborhood, and sent to a more distant part for a larger quantity. I was much surprised on receiving a letter from my assistant at Fort Constitution, in which he tells me Col. Zabriskie has got no grain, as the inhabitants would not sell it without gold and silver.

I yesterday received orders from his Excellency, Gen. Washington, and from Col. ————————, Quarter Master General, which makes it requisite to have a magazine of hay and grain immediately formed at or near Fort Constitution, and this refusal of the continental money, or keeping back their grain, which I am ready to pay the full value for, puts it out of my power to make the provision I am ordered. I thought it my duty to acquaint your Excellency, that the Legislature of this State may take the same into their consideration and pass such ordinance or resolves as may to them seem necessary. I shall be glad to be favored with your advice on this subject, and am,

With great respect your Excellency's most obedient and very humble servant,

CLEMENT BIDDLE,
D. Q. M. General.

His Excellency, the Governor of New Jersey.

From Archibald Kennedy to Governor Livingston.

Morristown, September 30th, 1776.

Sir,—By an order of the Provincial Congress of New Jersey, I have been confined for ten weeks past. I don't know of any charge against me, nor the reasons of my being thus forced trom my family. But I have been informed several half-pay officers have been permitted to return to their respective places of abode upon giving their parole of honor, a favor which I flatter myself will be extended to me, and which I shall fully

comply with, having a numerous family of above fifty to provide for every day, and no person to look after my property.

I need not say more on this subject, bnt hope you will take the above into serious consideration, and permit me to return to my family.

I am your most humble servant,

ARCHIBALD KENNEDY.

His Excellency, William LIVINGSTON, Esq., Governor of the State of New Jersey.

From the President of the Continental Congress to the Assembly of New Jersey.

Philadelphia, October 2d, 1776.

GENTLEMEN,—The many and just complaints of the insufficiency of the surgeons and their mates, to discharge their duty in a proper manner, have induced Congress to pass the enclosed resolves; recommending it to the several States to appoint some skilful physicians as examiners; without whose approbation no surgeon, or surgeon's mate shall receive a commission either in the army or navy.

The Congress being at present deeply engaged in matters of the utmost importance to the welfare of America, have judged it absolutely necessary that there should be a full representation of the several States as soon as possible. For this end, I am to request, in obedience with their commands, you will immediately take proper measures to comply with the enclosed

resolve, in order that the United States may be fully represented in Congress; and the sentiments of America be the better known upon those interesting subjects that lie before them. I shall therefore only once more request your compliance with this requisition of Congress, and have the honor to be, Gentlemen,

Your most obedient and very humble servant.

JOHN HANCOCK, President.

From the President of the Continental Congress to the Assembly of New Jersey.

Philadelphia, October 9th, 1776.

GENTLEMEN,—The enclosed resolves which I transmit in obedience to the commands of Congress, will inform you of the ample provision they have made for the support of both officers and soldiers who shall enter into the service during the war. The pay of the former is considerably increased, and the latter is to receive annually a complete suit of clothes or in lieu thereof the sum of twenty dollars, should he provide the suit for himself. This additional encouragement, besides the twenty dollars bounty and one hundred acres of land formerly granted, the Congress expect will be the means of engaging the troops to serve during the war. For this purpose also, I am to request you will appoint a committee or committees to repair immediately to the army to induce such of the troops as have been raised by your state to enlist during the war, and to appoint officers for the same.

The Congress for very obvious reasons are extremely anxious to keep the army together.

The dangerous consequences of their breaking up, and the difficulty of forming a new one, are inconceivable; were this barrier once removed, military power would quickly spread desolation and ruin over the face of our country. The importance and indeed absolute necessity of filling up the army, of providing for the troops, and engaging them to serve during the war, is so apparent, and has been so frequently urged, that I shall only request your attention to the resolves of Congress on this subject, and beseech you, by that love you have for your country, her rights and liberties, to exert yourselves to carry them speedily and effectually into execution, as the only means of preserving her in this her critical and alarming situation.

I have the honor to be, gentlemen, your most obedient and very humble servant,

JOHN HANCOCK, President.

Hon'ble Assembly of New Jersey.

From Colonel Wm. Maxwell to the Governor, Council and Assembly.

Point Independence, October 18th, 1776.

GENTLEMEN,—Agreeably to your instructions sent by the Hon. John Cleve Symmes and Tunis Dey, I have furnished them with the necessary returns. Clothing I did not think worthy of mentioning as they are chiefly worn out. I have likewise given them a list of

those officers that choose to continue in the service during the war.

I am sorry to inform you, that there is not one man willing at present (nor do I think they will, while here) to engage to stay at this place during the winter. I have laid before them every proposal the continental Congress has made them; the great care your hon. house is taking to provide them with warm clothing, and the glorious cause we are now engaged in, but all to no purpose. They generally say that they will engage as soon as they go home, and I believe they will. This being the first year of their service, and it has been so severe a one, and now a contract offered, that they know not when it will end, it may be easily conceived they will require a little time to deliberate.

I have the pleasure to inform you that I have in general as good a set of officers as there is in any battalion in the continental service, and of course they will make good soldiers: what we have still remaining in health, I believe there is none better.

I beg leave in a particular manner to recommend to your notice Colonel Shrieve, he has been very attentive to getting a thorough knowledge of his duty, and he is the oldest Lieutenant Colonel belonging to our State; and although I must regret his absence from any regiment I should have the honor to command, yet I cannot help doing him the justice to recommend him to you as fit for the first preferment in these battalions, or to command the fourth to be raised.

Major Grey has behaved spiritedly on every occasion.

He was at the head of the first division of my battalion when it went into Canada, and has gone through the several fatigues of this long campaign with credit to himself and all his acquaintance. I can heartily recommend him as worthy of preferment.

Captain Shute is on command, but has frequently said he would serve during the war—I think you may make no doubt of his continuing. My assistant and quarter-master I beg leave to appoint myself, (Congress gave me this right before), as those I have had did not suit the battalion or me.

When the battalion was first raised, all the officers, excepting the field ones, lost above a month's rank, which has grated them much, and has saved nothing to the public.—The case was thus: the officers got only warrants to recruit with, instead of their commissions. I hope that you will remedy that evil in some measure this time, by dating our commissions from the time of our entering our names to continue in the service. I am informed the Pennsylvania commissioners, have the commissions for their officers with them.

Captain Scott has been under arrest for some time past. The near approach of the enemy will not permit us to have a general court martial; there is too much business for the officers:—Colonel Dey has a copy of his crime. He is the first officer, and the only one, put under arrest, belonging to the battalion—I hope it may be the last; but they may depend upon coming to it when found to deserve it. I am, Gentlemen,

Your most obedient humble servant,

 WILLIAM MAXWELL.

From the President of the Continental Congress to the Governor.

Philadelphia, November 12th, 1776.

Sir,—I am directed by Congress to transmit you the enclosed resolve, and to request your attention to it. The dangerous intercourse between our enemies in New York and Staten Island, and the internal enemies of America in different parts of New Jersey, calls for the immediate interposition of government to suppress it. You will therefore be pleased, in conjunction with your Council and Assembly, to take such measures for this end as you shall judge most expedient.

I have the honor to be, with the utmost esteem, sir, your most obedient and very humble servant,

JOHN HANCOCK, President.

His Excellency, Governor Livingston.

From Col. George Taylor to John Covenhoven.

November 19th, 1776.

Sir,—I have taken this method to inform you and the rest of the House that Col. Hendrickson's month ends next Thursday evening, and the men will be very anxious to return home. I am at a loss how to act in this case, as the Generals are out and no orders can be given. Another thing I must inform you—that I have been informed that an act of your house makes void all commissions when the bearer does not qualify: as to my part, gentlemen, I don't choose to qualify for several

reasons, and if officers have no other principles to bind them but oaths, I should be very doubtful whether any very extraordinary matters might be expected from them. This subject I shall drop, and request your information whether you choose my resignation or whether I must act as usual. This, gentlemen, is in your breasts. I have ordered a company down to Sandy Hook; the post I think lies most exposed. I shall now remain inactive till I hear further from you, which I expect will be by the messenger as I have sent him on purpose, and the nature of the several stations requires something should be done as soon as possible.

I therefore conclude, and submit the subject to the wisdom of your house, and remain, gentlemen,

Your very humble servant,

GEORGE TAYLOR.

John Covenhoven, Esq., Member of the Assembly now setting at Princeton, New Jersey, or, in his absence, to any other member.

From S. Forman to Joseph Holmes.

November 21st, 1776.

DEAR SIR,—There is a task laid upon me that I don't like.

Col. Taylor refuses taking the oath required: in consequence thereof the officers refuse acting under him. They request me to take the command the next month, which begins to-morrow. 'Tis quite likely Col. Taylor has orders from the General, and also money for to

supply the regiment with provisions. Before I can go I must have orders and money to supply a commissary. You see the immediate necessity for orders being sent, or our guards on the shore may be suffering for provisions, and in the greatest confusion.

I am, S. FORMAN.

To Joseph Holmes, Esq., at Burlington.

From Colonel DeHart to Governor Livingston.

[December, 1776, original without date.]

Sir,—I am thus far on the road to Pitts Town, expecting to have met the Assembly and Council there, but am informed by Mr. Mehelm that you have adjourned to a place near Philadelphia. My business with them is, to ascertain what price I may venture to give for arms to arm the regiment I belong to. Another thing I would most earnestly request. That such warrant appointments as remain, or have happened in our regiment, may not be filled up by the state, as Colonel Ogden and myself have already begun, and made considerable progress in the recruiting service. In order to do this, we have filled the vacancies already with officers, who have recruited a considerable number of men, and should this not be attended to, it will finally ruin the regiment in the recruiting service. This I could by no means have thought to be an intrusion upon any prerogative, as your Excellency may remember that I applied to you to do it, or to call upon a committee of Council so to do, and your Excellency could afford no expedient for that necessity. I applied to

General Washington, who directed the mode we have taken. I shall soon return to Morristown, as my presence and assistance are very necessary there for recruiting, and notwithstanding the many unmerited neglects our regiment has received, I shall exert myself to fill it. The above I request you to communicate to Council and Assembly, and

I am your most obedient servant,

WILLIAM DEHART.

From the President of the Continental Congress to Governor Livingston.

Baltimore, December 30th, 1776.

SIR,—Ever attentive to the security of civil liberty, Congress would not have consented to the vesting of such powers in the military department as those which the inclosed resolves convey to the continental Commander-in-Chief, if the situation of publick affairs did not require at this crisis a decision and vigour which distance and numbers deny to assemblies far removed from each other and from the immediate seat of war.

The strength and progress of the enemy, joined to prospects of considerable reinforcements, have rendered it not only necessary that the American forces should be augmented beyond what Congress had heretofore designed, but that they should be brought into the field with all possible expedition. These considerations induce Congress to request in the most earnest manner

that the fullest influence of your state may be exerted to aid such levies as the General shall direct in consequence of the powers now given him, and that your quota of battalions formerly fixed may be completed and ordered to head quarters with all the despatch that an ardent desire to secure the publick happiness can direct.

I have the honor to be, with every sentiment of esteem, Sir, your most obedient servant,

JOHN HANCOCK, President.

To His Excellency, Governor Livingston.

From Col. Spencer to Stephen Crane of the Assembly.

Elizabethtown, January 28th, 1777.

Dear Sir,—I was in hopes to have had the pleasure of visiting your honorable House of Assembly, but my time is so taken up in completing the three months' battalion and that of raising a battalion during the war, that it is not possible for me to be so long absent, —therefore must give up the matter at present. I send inclosed a list of what commissions may be wanted in the battallion I am now in. You'll please present the matter and let them be forwarded.

With best compliments to His Excellency, Governor Livingston and the gentlemen of the House, I am your most obedient and humble servant,

OLIVER SPENCER.

The Hon. Stephen Crane, Esq.

List of Commissions wanted—1 Colonel, 1 Lieut. Col., 2 Captains, 4 first Lieuts., 3 second do. 8 Ensigns.

N. B. As I have not got the names of the whole, don't insert any of them, as the commissions can be easily filled here.

OLIVER SPENCER.

From General Washington to the Legislature of New Jersey.

Head Quarters, Morristown, January 31st, 1777.

The great countenance and protection shewn and given to deserters, by persons in the different neighborhoods from whence they originally came, has made that vice so prevalent in the army that unless some very effectual measures are fallen upon to prevent it, our new army will scarcely be raised before it will again dwindle and waste away, from that cause alone.

I know of no remedy so effectual as for the different states, immediately, to pass laws laying a very severe penalty upon those who harbour or fail to give information against deserters, knowing them to be such, and strictly enjoining all Justices of the Peace and officers of the militia to keep a watchful eye over and apprehend all such persons as shall return from the army without a discharge.

In order that this most salutary measure may be carried speedily into execution, I have not only desired Congress to recommend it to the different States, but have myself wrote circular letters to them all, pressing their compliance with my request. Desertion must

cease, of course, when the offenders find they have no shelter.

I have the honor to be, gentlemen, your most obedient servant, G° WASHINGTON.

To the Hon. the Representatives of the State of New Jersey.

From Colonel Chambers to the Speaker of the Assembly.

Raritan, February 5th, 1777.

Sir,—I have consulted my officers, and in consequence of which, I do request you will recommend to his Excellency, Governor Livingston, the following persons to be Field Officers in my Battalion, viz.:

Major Cornelius Stout, for Lieutenant-Colonel.
David Bishop, Adjutant, for First Major.
Captain David Jones, for Second Major.
John Schanck, for Adjutant.

You will please to urge the necessity for those Officers, and beg they may be immediately commissioned.

Colonel Lowrey being appointed Commissary for this state, declines acting as Lieutenant-Colonel.

I am, sir, your very obedient and humble servant,

DAVID CHAMBERS, Colonel.

To John Hart, Esq., Speaker of Assembly.

From Jonathan D. Sergeant to the Speaker of the Assembly.

Baltimore, February 6th, 1777.

Dear Sir,—Pursuant to the appointment of the Legislature of New Jersey, I have attended the Con-

gress, as one of the Delegates, from their first sitting at Baltimore to this time. As, during this period public affairs have taken a much happier turn, and my own private circumstances have assumed rather a melancholy complexion, I hope your honorable body will excuse my wishing to retire to the management of my private concerns.

The loss of my house, by fire, is the least part of my misfortunes, as my attention to politics during those unhappy times has at once superseded my business and prevented the collecting my accounts till the greater part of my debtors, it is to be feared, are either ruined or not to be found. For these reasons I find it necessary to apply myself to some business for the support of my family. My attendance in Congress must be a bar in the way of all such attempts, and I must, therefore, beg that some other person may be appointed in my place. I shall, however, attend till a person can be appointed to succeed me.

I am your most obedient and humble servant,

JONA. D. SERGEANT.

Hon'ble J. Hart, Speaker, &c.

From Abraham Clark to the Speaker of the Assembly.

Baltimore, February 8th, 1777.

DEAR SIR,—I lately heard the Assembly of New Jersey had met, but cannot learn where, and am therefore unable to give a proper direction. The four New England Colonies have had a meeting of committees

from their Legislatures to consult upon measures for their mutual defence, and for regulating trade and commerce. Their proceedings are before Congress, and I expect will soon obtain their approbation; and recommendation will therefore be sent to New York, New Jersey, Pennsylvania and Maryland, to appoint committees to meet at Philadelphia for the purpose of regulating the prices of all articles of trade, &c. The southern states will also be desired to meet for that purpose. These matters, if passed, you will soon have notice of.

I am much alarmed with General Washington's proclamation of the 25th of January. He has assumed the legislative and executive powers of government in all the states. I moved Congress to pass a resolution I introduced for preventing its fatal consequences, and the establishing such a precedent. My motion was committed, and is now before the committee. I hope our Legislatures will take proper notice of it, whatever issue it may have in Congress, and not tamely submit their authority to the control of a power unknown in our constitution. We set out to oppose tyranny in all its strides, and I hope we shall persevere.

A regulation for providing carriages for the army, and to prevent as much as possible the custom of impressing, has long been before a Congress committee, and has been recommitted, and so it remains. I wish you would not delay passing a law for regulating impresses of this kind. The devastations of New Jersey

by the enemy will, I think, make it necessary to prevent cattle running at large, as fences on the main road are wantonly destroyed, and cannot soon be made. I think, too, that no person ought so be compelled to fence against street cattle at any time.

Mr. Sergeant talks of resigning, and Mr. Stockton, by his late procedure, cannot act. I wish their places may be supplied by such as will be reputable to New Jersey, not only by their integrity but abilities.

The tories in the two lower counties of Maryland, and on the eastern shore of Delaware, are very troublesome, and collecting forces, aided by several men of war in Delaware, but more especially in Chesapeake Bay. The militia and two Continental regiments are marching against them.

I expect Congress will soon remove from hence to Lancaster, though it is not yet determined. If that should happen, I shall be greatly perplexed with the chests. Our chief reason for removing is the extravagant price of living here. The price of board, without any liquor, a dollar a day, horse keeping 4s., wine 12s. per bottle, rum 30s. per gallon, and every thing else in proportion, and likely soon to rise.

I am, dear sir, with great regard, your obedient and humble servant, ABRAHAM CLARK.

John Hart, Esq., Speaker of Assembly of New Jersey.

From James Sullivan to Governor Livingston.

Boston, February 9th, 1777.

Sir,—As chairman of a committee of the House of Representatives of this state, for this purpose especially appointed, I enclose you a copy of an act lately passed by this government. for regulating the price of the articles therein enumerated, and which may from their nature and use, and from the present situation of the country, come under the denomination of the necessaries of life.

The want of a sufficient medium in silver and gold to support the present war, necessarily procured the emission of bills of public credit, and in proportion to these emissions the public debt must be increased. It therefore became a measure of the last importance to lessen the very extravagant price to which these articles had arisen, and without it the wages of the soldiers would have been insufficient to support his person and family. Had not the very weighty and important business which so constantly demands the attention of the honorable Congress prevented it, their making these regulations would have given the measure, even here, a more extensive and salutary influence than can be expected from what the northern states have done. That the prices of those necessaries might throughout those states be as uniform as the situation and custom of each state can admit of, and the particular situation of Congress and the army being such as prevented our making application to that honorable Assembly upon

this subject, a committee from their several Assemblies met at Providence, and drew the outlines which were generally adopted by these Assemblies; and it is the ardent desire of Massachusetts that some such regulation may be speedily embraced by all the American states.

I am also directed to enclose you a copy of a resolution recently passed by the General Assembly here, for preventing the exportation of the several articles therein mentioned; and am authorised to assure you that this measure did not in the least proceed from any abatement in that sincere affection which we have for our sister states, but from an earnest desire to feed and clothe that army upon whom the salvation of America so materially depends.

Had we not taken this step, the few evil-minded and designing persons yet in America, who leave no measure untried to ruin us, together with those who, regardless of their country's weal, are seeking their own emolument only, would have monopolized near all the goods which we have, and which we design for the use of the army.

This embargo was rendered in some measure necessary by the Regulation Act, or rather by our sister states not coming into similar measures, for all our goods would soon have been either concealed from the use of the army, or have been carried to those places where an exorbitant price could be obtained for them. But we hope soon to see the army so well clothed, and such regulations in trade take place in all the United

States, as will enable us to repeal this resolution: which we shall do in such case with the greatest cheerfulness.

I am, sir, with the greatest respect, your most obedient and humble servant,

JAS. SULLIVAN.

Hon. William Livingston, Esq., Governor.

From General Dickinson to Governor Livingston.

Head-Quarters on Raritan, Feb. 12, 1777.

Sir,—I wrote your Excellency some time ago, and then reminded you of our conversation at Morristown. Although my private affairs demanded my immediate attention, yet much was due to the public; and I could not think of absenting myself from the station, in which the late honorable convention of this state had placed me, without giving timely notice, especially as it was a time of great danger. The situation of my family and affairs require my utmost care and attention. Mrs. Dickinson has been long confined to the house, and by a letter just received is now confined to her room; my family and effects dispersed through three states, my loss has already been very considerable, and without my attention will be greatly increased. I joined his excellency Gen. Washington the 25th Nov. last, since which time have not spent a single hour in looking after my property in this state, which now suffers exceedingly, The situation of my farm is in so public a part of this state,—I have so sensibly felt inconvenience attending the same, that Mrs. Dickinson chooses to remove to some more distant and secure part

of the country in a neighboring state, which I am determined to comply with, as soon as I am released with honour. I have a place to purchase, and then to remove my family and effects, which will take up a considerable time, and the season is advancing fast. I therefore request your excellency will be pleased, without fail, after the timely notice I have given you, to release me by the appointment of another general by the first of March next, as my situation is such, that I cannot remain longer without the greatest injury to my family. The gentleman whom you honor with the appointment, will be pleased to call upon me at my quarters the beginning of March. If my conduct has met with the approbation of your excellency, and the General Assembly of the State, it will be to me a source of great pleasure.

Your excellency's most obedient and humble servant,

PHILEMON DICKINSON.

His excellency, Gov. Livingston.

From Col. Shriere to Governor Livingston.

Princeton, March 17, 1777.

SIR,—I have been repeatedly applied to by the state officers of my regiment for their commissions, and have been informed, that they are to be given by the Hon. John Hancock, on your excellency's certificate that they have been duly appointed. My quarter-master is going to Philadelphia on business. If your excellency will please to give him such certificate, he will call for

the commissions. Charles Uxford was first appointed quarter-master, but I have not seen or heard from him since his appointment; I supposed he declined serving. After my arrival at this place, the necessity of such a useful officer obliged me to apply to the General to appoint one in orders, when Benjamin Osman, a very proper person, was appointed. The officers of the regiment, together with myself, pray he may be continued by the honorable Council, now sitting at Bordentown.

I am your excellency's most obedient and humble servant,

ISRAEL SHRIEVE.

To his excellency, Governor Livingston.

The staff officers of my regiment are

Luther Halsey, Adjutant.
Benjamin Osman, quarter-master.
William Shute, Paymaster.
Lewis Howell, Surgeon.

From Governor Livingston to the Vice President of the Council of Safety of Pennsylvania.

Haddonfield, March 18th, 1777.

Sir,—Captain Walton will wait on the Committee of Safety with one Borden and his son, boatmen, and four other prisoners, Scotchmen, lately bound from Philadelphia to New York, and taken on that account at Squam Beach. The boatman denies his being privy to

the designs of the passengers of going to New York. He has however contradicted himself in his relation to Col. Randolph, to whom he declared that he left Philadelphia without passengers, and has while here, expressed himself to the guard in a very violent manner against the Congress. The passengers confess their design of going to New York, if they could have prevailed upon the boatmen to carry them, and there to have embarked for Scotland; justifying themselves in the measure under General Washington's Proclamation, though it has no reference to people in their situation, and if it had, they were under no necessity of going in so clandestine a manner. They being inhabitants of your state, I send them to you for further examination by advice of our Council of Safety. The said boatman has been employed in rigging your galleys, and has been for 25 years acquainted with your river, and had been employed in New York in sinking the "*Chevaux de Frise.*"

Sir, I am your humble servant,

WILL. LIVINGSTON.

Hon'l DAVID RITTENHOUSE, Vice President, &c.

From Colonel Bull to Governor Livingston.

Waterfield, March 27th, 1777.

SIR,—Yours to David Rittenhouse, Esq., was received wherein you recommend Col. Willman, and desire to know the terms:—which to laborers is 4s. 6d. per day with diet—every man to bring his own blanket. Soldiers or militia in continental service receive one shilling

per day with an allowance of rum over and above their monthly pay. I have now at Billingsport about 200 workmen, chiefly soldiers. I remain your excellency's

Obedient and humble servant,

JNO. BULL, Colonel.

His Excellency, Gov'r Livingston.

From James Wilson to Governor Livingston.

Philadelphia, March 28, 1777.

Sir.—There is great reason to believe that a certain John Curlis of Shrewsbury in New Jersey was concerned in taking at Bristol the packet from General Washington to Congress. I was one of the Committee appointed to enquire into that matter; and in that character think it my duty to write to you upon the subject, that Mr. Curlis may be apprehended and examined.

I have the honor to be, with much esteem, sir, your very humble servant,

JAMES WILSON.

His Excellency, Wm. Livingston.

Minutes of the Commissioners appointed to regulate Prices.

York Town, Wednesday Morning, March 26th, 1777.

The commissioners appointed by the states of New York, New Jersey, Pennsylvania, Delaware, Maryland and Virginia for the purpose of considering of and forming a system of regulation adapted to those states

to regulate the price of labor, of manufactures and of internal produce within these states and of goods imported from foreign parts, except military stores, to be laid before the respective Legislatures of each state for their approbation, met at the house of Mr. William White. Present

John Sloss Hobart, Col. Robert Van Rennselaer, of New York.

Theophilus Elmer, Joseph Holmes, of New Jersey.

George Henry, Bartram Galbreath, John Whitehill, Richard Thomas, David McConaughy, of Pennsylvania.

General Cæsar Rodney, Lt. Col. Thomas Collins, Col. James Lattemore, of Delaware.

Norman Bruce, John Braceo, Henry Griffith, Joseph Sim, of Maryland.

Lewis Burwell, Thomas Adams, of Virginia.

THOMAS ANNOR, Clerk.

The several commissioners produced their credentials, which were read, approved and filed. The resolve of Congress recommending to the several Legislatures, or, in their recess, to the Executive power of the states of New York, &c., to appoint commissioners to meet at York Town in Pennsylvania on the third Monday of March instant, to consider of and form a system of regulation adapted to those states, to be laid before the respective Legislatures of each state for their approbation, was read and filed.

Adjourned to 3 o'clock, afternoon.

The commissioners met Wednesday afternoon at 3 o'clock, pursuant to adjournment.

Present, Lewis Burwell, Chairman, &c.

Ordered that Mr. Hobart, Mr. Henry and Mr. Adams be a committee to devise ways and means to prevent the mischiefs arising from the spirit of monopoly so prevalent in these states.

Adjourned till to-morrow morning, 10 o'clock.

Thursday morning 10 o'clock, March 27, 1777.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.

Adjourned till 4 o'clock in the afternoon.

Thursday afternoon 4 o'clock, March 27, 1777.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.

The committee to whom it was referred to devise ways and means, made their report, which, being read, was ordered to lie on the table for consideration till to-morrow morning, and is in the words following:

Your committee to whom it was referred to devise ways and means to prevent the evils arising from the spirit of monopoly so prevalent at present, have taken the same into consideration and beg leave to report the following resolves—

Whereas many evil minded and disaffected persons have engrossed and monopolized large quantities of the necessaries of life in order to enhance the price, distress the army, and discourage the good people of these states in the present glorious struggle for their liberty,

Resolved, That it be recommended to the several

Legislatures of New York, New Jersey, Pennsylvania. Delaware, Maryland and Virginia to pass laws for the purpose of fixing the prices and enforcing the sale of such necessary articles as have been or may be from time to time engrossed, and which shall be necessary for the use of the army or the consumption of the inhabitants.

Resolved, That the prices of the following articles that shall have been or may be engrossed or monopolized as aforesaid, do not exceed, in any or either of the said states, the rates hereinafter mentioned.

Resolved, That it be further recommended to the several Legislatures aforesaid from time to time to fix the prices and enforce the sale of such other necessary articles imported from foreign parts as may be monopolized in manner aforesaid.

Resolved, That no person ought to be considered as an engrosser or monopolizer who shall keep an open shop for the purpose of selling goods by retail, and who shall make no distinction in the price between gold and silver and continental bills, or the bills of credit of the respective state where the sale shall happen.

Adjourned till 10 o'clock to-morrow morning.

Friday morning 10 o'clock, March 28, 1777.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.

The report was read and debated.

Adjourned till 3 o'clock, March 28, 1777.

Friday afternoon 3 o'clock, March 28, 1777.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman. &c.

After some time spent in the consideration of the report, ordered that the further consideration thereof be deferred till to-morrow morning.

Adjourned till 10 o'clock to-morrow morning.

Saturday morning 10 o'clock, March 29, 1777.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.

Ordered that the report be recommitted, and that Mr. Braceo, Mr. Collins and Mr. Elmer be added to the committee, and that they be instructed to prepare a system of measures for remedying the evils occasioned by the present fluctuating and exorbitant prices of labor, of manufactures, of internal produce, and of goods imported from foreign parts, except military stores.

Adjourned till 10 o'clock Monday morning.

Monday morning, 10 o'clock, March 31, 1777.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.

The committee made their report, which, being read, was ordered to lay on the table for consideration, and is in the words following—

Your committee to whom was recommitted the report of a plan to prevent the evils arising from a spirit of monopoly so prevalent at present, with an instruction to prepare a system of measures for remedying the evils occasioned by the present fluctuating and exorbitant prices of labor, manufactures, internal produce, and goods imported from foreign parts, have taken the same into consideration, and are of opinion that the pre-

sent fluctuating and exorbitant prices of these articles are owing to the following causes.

1st. The great quantity of paper currency brought into circulation for the purpose of supporting the war; whereby the medium greatly exceeds the quantity of transferable property, especially in those states in the neighborhood of the army, and is therefore so far forth decreased in its value to those who have no further use for it than to purchase the necessaries and conveniences of life.

2d. The non-importation agreement, which subsisted while any hope remained that Great Britain would do justice to the colonies, and the great risk attending a foreign commerce since the declaration of war, have prevented the inhabitants of these states from receiving the usual supplies of foreign commodities; which, together with the scarcity of raw materials and implements requisite for their manufacturing the necessaries and conveniencies of life within themselves, have reduced the quantity on hand greatly below the demand for the actual consumption of the country.

Add to these, that a number of disaffected and inimical persons in the different states, who eagerly seize every opportunity of perplexing and distressing the good people in their present glorious struggle for every thing that ought to be dear to freemen, have refused to receive the continental and other currencies in payments; and where that could not be avoided, have by investing their monies in silver, gold, and other commodities, which have an intrinsic value, and by giving high and exorbitant prices for the same, led the way

for many inconsiderate persons to follow so pernicious an example; whereby the spirit of monopoly and extortion has increased, great quantities of the necessaries and conveniences of life have been purchased and laid up, by some, under an expectation that should the event of the war prove unfavorable to the United States, property would be more secure in those articles than in paper currency; by others, with a view to the rapid increase of their fortunes by extorting an exorbitant advance upon the prime cost of their goods; which has induced the manufacturer to withhold his commodities, and the laborer his service, unless they could obtain a price equally extravagant. For the remedy of which, and to prevent the like evils in future, your committee are of opinion that a general and permanent system of giving stability to, and preventing extortion in the prices of labor, of manufactures, and of internal produce within the United States, and goods imported from foreign parts ought to be adopted, and for this desirable purpose, beg leave to report the following resolves.

Resolved, First, that it be recommended to the several legislatures of New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia, by taxes and otherwise, according to the abilities of their respective states, to collect as much as possible of the paper currency already emitted, and not to issue the same again, but in cases of the most urgent necessity. [Disagreed to.]

Resolved, Secondly, that it be recommended to the several legislatures aforesaid, to fix the prices and enforce the sale of such commodities as now are or hereafter shall be in the hands of such persons who engross,

monopolize or withhold them from market; the same being necessary for the use of the army or navy, or the consumption of the inhabitants, and that the following articles, which may be so engrossed, monopolized, or withheld from market, be sold at a rate not exceeding the prices hereinafter mentioned.

Viz. And that the prices of all other articles that are or may be engrossed, monopolized, or withheld from the market, as aforesaid, be fixed by the respective legislatures in such manner as that they shall bear the same proportion to those already enumerated, which they usually did before the commencement of the present war. And whereas, the price of labor and of manufactures ought to be proportionate to each other. Resolved, That it be recommended to the legislatures aforesaid to pass laws for the purpose of fixing and settling the rates and prices hereinafter enumerated; viz: And further, that the manufactures not herein enumerated, be rated by the respective legislatures, in such manner, as that the prices may bear the same proportion to the price of labor, as now fixed, that they did before the commencement of the present war.

And whereas, the practice of exposing goods and merchandize to sale, by way of public vendue has tended to increase the present fluctuating and exorbitant prices of the necessaries and conveniences of Life and encourage the spirit of monopoly: Resolved, That it be recommended to the respective legislatures aforesaid, to pass laws for restraining such practice in future, except in the case of commodities, which shall have been condemned in a Court of Admiralty, or taken by

process issuing out of the other courts of law; in which cases to regulate the sale by providing that no goods, wares or merchandize be sold in large lots; and that no lot be removed from the warehouse, in which it shall be stored, under the care and direction of the proper officer, until the purchase money for the same be first paid down.

And whereas, the most speedy and effectual measures ought to be pursued for procuring a sufficient supply of those commodities, which are more immediately necessary for the use of the army and navy, and the consumption of the inhabitants.

Resolved, That it be recommended to the respective legislatures aforesaid, to encourage the commerce to foreign parts, by establishing public assurance offices on the account of the respective states; to encourage by premiums and otherwise, for a limited time, the importation of medicines, coarse woolen and linen cloths, coarse hosiery, felt hats, raw hides, tanned leather, men's common shoes, salt and wool, cotton and tow cords; to discourage by every prudent means the importation and use of fine woolen and linen cloths, and all kinds of superfluities.

To prohibit the exportation of skins and furs of all kinds, except to some one or other of the United States; to encourage by premiums and otherwise the increasing the number and improving the breed of sheep; the raising of flax, hemp, and cotton, the manufacturing of woolen and linen cloths, and the erecting of slitting and wire mills and salt works.

Adjourned to 3 o'clock, afternoon.

Monday afternoon, 3 o'clock; March 31, 1777.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.,

The report was read a second time and taken into consideration; after some time spent thereon,

Resolved, That the further consideration of it be deferred till to-morrow morning.

Adjourned till to-morrow morning, 10 o'clock.

Tuesday morning, 10 o'clock, April 1, 1777.

The commissioners met pursuant to adjournment

Present, Lewis Burwell, Esq., Chairman, &c.

The consideration of the report was resumed.

A motion was made and seconded, that the report be rejected, and the question being put it was received in the negative, in the manner following: viz:

For the affirmative, Pennsylvania, Delaware, Maryland.

For the negative, New York, New Jersey, Virginia.

Adjourned till 3 o'clock, afternoon.

Tuesday afternoon, 3 o'clock.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.

Adjourned till ten o'clock, to-morrow morning.

Wednesday morning, 10 o'clock.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., Chairman, &c.

Mr. Braceo moved, and was seconded by Mr. Bruce,

that the report be amended as follows: In the third resolve after the word "labor" leave out the word "and" and after the word "manufactures" insert the words, internal produce within those states, and of goods imported from foreign parts, except military stores and coarse woolens, linens, felt hats, coarse hosiery, and men's common shoes for the use of the army only, implements of manufacture, medicines, raw hides and salt.

For the question, Delaware.

Against the question, New York, New Jersey, Pennsylvania, Virginia. Maryland divided.

Adjourned till 4 o'clock in the afternoon.

Wednesday, 4 o'clock, afternoon.

The commissioners met pursuant to adjournment.

Present, Lewis Burwell, Esq., chairman, &c.

After some time spent in the consideration of the report, the commissioners came to the following resolution, viz: Whereas, it appears in the course of the proceedings of the board, that there is a great dissimilarity of sentiment among the commissioners, about the measures to be adopted for remedying the evils occasioned by the fluctuating and exorbitant prices of labor, manufactures, and internal produce within these states, and of goods imported from foreign parts, except military stores: some conceiving themselves restricted by the resolves of Congress and the instructions received from their respective legislatures, from entering into any regulations but such as shall directly limit the prices of

those articles :—while others, conceiving that such regulations will be productive of the most fatal consequences to these states, are for adopting measures which in their opinion will in their operation tend to counteract the causes which have occasioned the evils so justly complained of. From whence it is evident that this Board cannot proceed with unanimity in establishing any particular system of measures for answering the purpose of their meeting :—Therefore, Resolved unanimously, That certified copies of the proceedings of the Board be transmitted to Congress, and to the respective legislatures of New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia ; and that this meeting be dissolved.

A true copy.

LEWIS BURWELL, Chairman.

Signed Thursday evening,

By candle-light, April 3, 1777.

From General Heard to Governor Livingston.

Head-Quarters, Raritan, April 1st, 1777.

SIR,—Inclosed you have the copy of a letter I received from Colonel Beavers, in the county of Hunterdon, by which you will see what a bad situation the militia of that battalion are in on account of the Captains of the several companies refusing to do their duty. I should be glad of your directions how to proceed in the matter, that the men may be brought here ; they being very much wanted at present, as many of the militia's times expire this day.

Likewise should be glad of directions to know what is to be done with people that refuse to give up their protections, as I have now a man under confinement that refuses to give his up. The militia law points out no mode of what is to be done with such people.

There is a villain apprehended with a warrant found with him to enlist men for the British army, and now in confinement, who has informed me there are many persons out now upon the same business, chiefly in Sussex county, the names of which you will find on the back of the letter enclosed, and beg you will direct such methods for the apprehending them as you shall think most proper. I should have sent after them myself, but have so few troops now here thought proper not to spare them, but to wait your directions.

I am, sir, your humble servant,

NATHANIEL HEARD.

From Colonel Beavers to General Heard, enclosed in the foregoing.

March 29th, 1777.

Sir,—This is the second time the other field officers and myself have met on the orders you have sent me, and can do nothing, as three of the Captains of this battalion refuse to act; nor have they warned a man in their companies on either of the orders, to wit: Captain Shenard, Captain Meddler and Captain Cline. I am and have been very unwell for some time or would have waited on you myself with pleasure, for your direc-

tions and advice on this important occasion, and must beg that favor by the bearer, Major Pettit, who can inform you of our whole proceedings.

I have the honor, sir, to subscribe myself your humble servant,

JOS. BEAVERS.

To General Heard.

A list of the persons' names now enlisting men for the British army—

Robert Ellison, (late Squire)	in Sussex.
Peter Anderson,	do.
William Hutchinson,	do.
John Ensley, (Sergeant)	do.

Hutchinson is soon expected at Brunswick with his company.

From Charles Pettit to Governor Livingston.

Burlington, April 5th, 1777.

DEAR SIR,—You are already informed of my situation respecting the residence of my family. I am obliged to remove them from the house they now occupy, and have no other provided for their reception. I have already taken not a little pains to procure a house, but without success, and it is an object of so much importance to me that I must still pursue it. Had I been at liberty a month or six weeks ago to give attention to this business, I find I might have accomplished it with much less difficulty. This, however, being business of a private nature, I should not have

troubled your Excellency with it, but by way of apology for what follows. The Legislature have thought fit to vest Mr. Bowes Reed, Mr. Joseph Newbold and myself, or either of us, with authority to move the records now in the Secretary's office, in case of alarm, to some place of safety. How soon such alarm may happen is very uncertain; and from the circumstances I have mentioned it is very probable that when the hour arrives, I may be engaged in my family affairs, probably at a considerable distance from this place, that I cannot give it due attendance. I am also apprehensive that if it be deferred till the enemy are on the march this way, it will be very difficult to get the business effected: indeed, even now, I doubt whether teams could be got in this neighborhood to engage in it without military authority. Were it within my official duty, it might be said that my private concerns should give place to it. But as it is altogether extra-official, I am persuaded that it will not be expected. I mean not, however, to withdraw myself from it from any other motive than necessity, and I am persuaded the circumstances of my family will for the present sufficiently plead my excuse. If I can get them settled in time, I will turn my attention to this business. But it seems to me that if it be proper to move the records, no time should be lost in getting about it. Were I to attend wholly to it, I should wish to have the advice of your Excellency and the Council of Safety as to the place, and the route by which they are to be taken, and I conceive it is my duty to lay the matter thus before you. It is indeed a

business of an Executive nature, which the Board, I believe, might have undertaken without the special act for the purpose, and in which they will now, probably, think proper to give their aid, especially as coercive power may be necessary in the doing of it. The boxes to pack the books and papers in are ready in the office. From the present very uncertain situation of our affairs, I have not been able to fix any opinion as to the place the records should be moved to. Your means of intelligence are so much better than mine that you can determine on better grounds. I earnestly wish the Board would be pleased to give such advice and direction in the matter as they think best. Mr. Newbold lives within a few miles of Bordentown, and may be easily consulted with. Mr. Reed will probably be at hand to superintend the packing up. Perhaps the necessary wagons may be procured at Bordentown.

I am, with great respect, your Excellency's most obedient and humble servant,

CHAS. PETTIT.

His Excellency, Gov. LIVINGSTON.

From Silas Condict to Governor Livingston

Morristown, April 7th, 1777.

DEAR SIR,—This day I received your favor of the 23d ult., wherein you acquaint me that I have been appointed one of the Council of Safety. I am much concerned that you have so few members attending at

this critical season, and although it is extremely difficult at present for me to leave home (my family being inoculated, and not yet through the small pox,) yet I will come at any time, rather than public business should suffer, on notice given me that it is necessary. Col. DeHart told me to-day that the battalion had arranged its officers, and only wanted an opportunity to present it for commission. The Colonel says that he has at Gen. Washington's request examined several of the prisoners now in jail here, and that it will be best for the Council of Safety to sit in this county soon; and if this is thought proper, I think it will be best to sit either at Mendham, or at Capt. Dunn's in Roxberry, as the army is still at Morristown, and it will be inconvenient to sit there.

I am, with great respect, your most obedient and humble servant,

SILAS CONDICT.

His Excellency, Gov. Livingston.

From William Smith and Benjamin Rumsey, to Governor Livingston.

Philadelphia, April 8th, 1777.

Sir,—Mr. Campbell being a gentleman unknown to us, we have made inquiry into his character, and have the pleasure to be informed that there was a gentleman of that name of a good and fair character who lived in St. Mary's county, in Maryland, married there, and had children; that he lost his wife and carried his

children to Scotland about two years ago to be educated. That he is in the possession of property, and has always been zealously attached to the liberties of North America, having stepped forth as early in her cause as any of her sons. As he appears to be the man, we are of the opinion that he may be released by your Excellency, as we esteem him a good fellow citizen, a thing rare in his countrymen with us, and cannot apprehend the least danger from him.

We are your Excellency's most humble servants,

WM. SMITH,
BENJ. RUMSEY.

His Excellency, Gov. LIVINGSTON.

Examination of Jesse Woodward.

Allen Town, April 10th, 1777.

The examination and confession of Jesse Woodward.

He says he has pressed wagons, and disarmed a certain Arthur Livingston, and took John Hendrickson's gun out of his wagon on the road near Buckelow's for the use of the British army: that he went from his house about the last of December 1776, into the Pines about ten miles from his house, and lived in one of the cabins for about a week at a time, and sometimes went home and removed to a cabin on Crosswick's Creek above Wall's Mill, where he has lived for about three or four weeks past.

He has seen Thomas Fowler and Nicholas Williams

since his going to the last mentioned cabin, and says they came to him and he had some conversation with them, and that he understood from his children they were under the same circumstances that he was. He says he had no authority from any person in the British or Hessian army to impress horses or wagons, but that he went in company with others that went to press wagons, viz. Anthony Woodward, commonly called little Anthony, and that his brother Anthony Woodward, commonly called black Nat, was in company with them; he says he has left his gun in a tree in the woods, somewhere between his former cabin and the one he last lived in, with some powder and shot.

He says he with the others above mentioned was at Jacob Hendrickson's, and that he ordered a wagon and two horses from there; and that he saw Samuel Woodward sometime about the fall of the last snow at his house; that Fowler and Williams were with him the best part of a night; went last to see him at his cabin, but he don't recollect the day of the week or how many days ago. He says he only impressed the wagon for the British army, and not the guns, as he says he intended to return them to the owners.

Taken before me the day and date above written, and in the presence of Col. Brearley.

FRAN'S WADE, at Allen Town.

From Francis Wade to Governor Livingston.

Allen Town, April 10th, 1777.

SIR,—I was handed your obliging favor of the 9th instant, last night, since which Lewis Bastedo and the party with him have succeeded so far as to secure Jesse Woodward, whom I have examined, and have now enclosed his confession to you to lay before the honorable the Council of Safety, and himself a prisoner for farther examination. I find he is very backward in giving any information. You'll find by his confession and Fowler's, that they differ much in the time of their last meeting and talking together; it however plainly appears that there is a gang of them living among the pines and no doubt in readiness to shew themselves whenever opportunity offers. I therefore think it a duty incumbent on me for the good of the service, to continue here until I represent this matter to his Excellency, General Washington, notwithstanding I have his letter, if my private affairs call me home to go.

I am much obliged for your Excelleney's, and the Honorable the Council's approbation of my conduct, and hope to deserve it on all occasions when the service of my country calls on me.

I am, very respectfully, sir, your most obedient and most humble servant,

FRAN'S WADE.

To His Excellency, Wm. Livingston, Esq., Governor of New Jersey.

P. S. I have not heard farther about the corps of Williams. I am of opinion it is agreeable to Gen'l

Washington's general orders that Bastedo should have the rifle and gun taken from Fowler and Williams. If you and the honorable Council are of the same opinion shall be glad to know, and shall act accordingly. You have, inclosed, a note left by Col. Samuel Forman. Ammunition is much wanted, if any, it would be well to send some by the party.

——

From General Washington to Governor Livingston.

Head-Quarters, Morristown, April 16, 1777.

Sir,—I am honored with yours of the 14th. I don't know whether Col. Duyckink comes properly under the civil or military jurisdiction, but from the following state of the facts on which I ordered him to be secured, you will be able to form a judgment; and if you think he falls within the civil line, I will most cheerfully give him up to you.

Some time in the winter, Col. Duyckink came voluntarily out of Brunswick, and surrendered himself to Genl. Dickinson, at Millstone; said he had seen my proclamation, and had come to take the benefit of it; that he had been ill-used by the British army, and that he was determined to remain with his countrymen. Genl. Dickinson sent him up to me; he told me the same story, and I permitted him to go at large. Some little time after this, he applied to Lord Stirling for liberty to return again to Brunswick, who not being acquainted with the circumstances, granted him permission; but before he went Genl. Dickinson, luckily received information from a person who came out of

Brunswick, who told him he had heard Cortlandt Skinner tell Duyckink "he was afraid it would not do, and that there would be danger in the experiment," meaning his going out under pretence of becoming a convert. Upon this he was stopped and carried before Genl. Green, who asked him what was the reason of this sudden alteration in his sentiments. He said that he could not in conscience take the oaths to the state, as he had taken the oath of allegiance to the king; that the people in the country threatened his life; and that he thought he had better return to Brunswick. Genl. Green asked him if he had not considered the matter of taking the oaths to the state before he came out, as he owned he had seen the proclamation. But he gave such evasive answers that it convinced us that he only came out to get intelligence, and I therefore had him apprehended and sent to Philadelphia, where he has been since confined. He is looked upon as so dangerous a man by the well affected in this part of the country, that I believe his being set at liberty, and suffered to remain in the country, would create great uneasiness.

I have the honor to be, with great respect, sir, your most obedient servant,

GEO. WASHINGTON

His excellency, Gov. LIVINGSTON.

From Francis Hopkinson to Governor Livingston.

Philadelphia, Friday.

Dear Sir,—The enclosed letter is from a Committee of Congress, requesting that you would cause John Curlis to be apprehended and examined.

Mr. Wilson is at present so engaged in the investigation of a dangerous plot, (the particulars of which I have wrote to Mrs. Hopkinson,) that he could not be so explicit as he could wish, and therefore requested me to inform you that the desire of the Committee is, that you would be so good as to have this Curlis strictly examined, and if you find sufficient grounds of suspicion, or any direct proof against him, that he may be forwarded to Philadelphia.

The Congress have it much at heart to discover by what means the packet of Bristol was conveyed to Lord Howe, and to have the traitors brought to light. As I gave you all the particulars of this affair that had come to my knowledge, there is no occasion to repeat them now. Only this I would observe, that it will be necessary for you to have the evidence of Bassonet's bar-keeper at Bristol. But I fear Curlis has taken such good care of himself that he will save you and us any further trouble.

With compliments to Mr. and Mrs. Imley, I have the honor to be

Your friend and humble servant,

FRA^{S} HOPKINSON.

From General Putnam to Governor Livingston.

Princeton, April 25th, 1777.

DEAR SIR,—Under a guard I send you Stephen Flood, Jacob Dancer, John Butler Linch, and an old William Halfpenny, who have been taken going in and out of Brunswick.

Inclosed is a copy of a letter from Major Scudder, by which you will see what Flood is accused of, and several depositions against Dancer.

Flood was sent to me without any crime, and nothing (thus) appearing against him, I gave him a pass to Philadelphia; and afterwards received the inclosed from Major Scudder. I sent immediately after and secured him.

Elizabeth Brewer, whose deposition you have inclosed, was taken coming out of Brunswick, and brought before me. She gave information of one Lucas Voorhees, likewise of Linch and Halfpenny, whom I now send you, and many others whom I have sent for, but not yet secured.

There was nothing particular appearing against Voorhees, and I (of consequence) dismissed him, first taking his parole not to communicate any intelligence to the enemy relative to the situation or strength of the American army; but on the contrary to immediately communicate all the intelligence he can collect of the movement and intentions of the British army to some of the officers in the continental service. The above Elizabeth Brewer has an inclination to enter the hospital as a nurse, in

which employment she has been before engaged at this place; and the surgeon giving her a good character, I have thought proper to detain her here for that purpose.

If you have any objections, and will let me know, I will send her immediately to you.

I am, sir, with utmost respect, your most obedient, humble servant,

ISRAEL PUTNAM.

His excellency, Governor LIVINGSTON.

From Rev. A. McWhorter and Elisha Boudinot to Governor Livingston.

Newark, April 26, 1777.

May it please your excellency:—The unhappy situation of this town, being so contiguous to the enemy, who threaten us daily with an invasion, renders it absolutely necessary that the militia of this place should be put on a more respectable footing, and officered with gentlemen whose tried fidelity in a time of distress entitles them to the confidence of their country. A number of the inhabitants have agreed to recommend as officers the persons mentioned in the enclosed petition to your excellency. And as some particular reasons render it absolutely necessary that no time should be lost in having proper officers appointed, we have sent Mr. Banks as an express. He is a person who is capable of giving a true representation of the state of the town, and who may be depended on. If your excel-

lency and the council should approve of the gentlemen recommended, we beg Mr. Banks may be dispatched with the commissions immediately.

We have the honor to be your excellency's most ob't and h'ble servants,

A. McWHORTER.
ELISHA BOUDINOT.

Governor LIVINGSTON.

From Major Taylor to Governor Livingston.

Cranbury, May 7, 1777.

May it please your Excellency :—By a letter received from Major-General Putnam, I was commanded immediately to apprehend Peter Overt, Mr. Lake and Francis Letts, living near Raritan river, in the county of Middlesex, and send them to your excellency. The general informed me that they have lately been trading with the enemies of our country with potatoes and some other articles. They carried on this trade by means of one Halfpenny, a very old man, and an inhabitant of the same part of the country with themselves. There have been many complaints brought against those men this winter past; but not sufficient evidence appearing, they have as yet been unpunished.

From your humble servant,

JOHN TAYLOR,

Commanding officer at Cranbury.

His excellency, WILLIAM LIVINGSTON, Esq.,
Governor of the State of New Jersey.

From Major Taylor to Governor Livingston.

Cranbury, May 15, 1777.

May it please your excellency:—This morning sent on under guard two prisoners, taken by a party from this post, within one mile of the enemy's lines, going to Brunswick as they themselves confess. The name of the one is Thomas Woodburn from Crossnecks, with whom I am unacquainted, but his neighbors give him a very bad character. The other's name is Thomas Williams, who is also a stranger to me: he says that he formerly taught an English school in different parts of the country: he came from New York four weeks past, and was now endeavoring to return. These kind of men are certainly very dangerous to the state, yet it is very difficult to obtain any evidence against them, further than what we ourselves do observe. If I can possibly get any more evidence against John Brown, alias Lee, sent to Haddonfield from this place, I will immediately send it on to the governor.

From your very humble servant at command,

JOHN TAYLOR, Major 2d Battalion.

To his Excellency, W. Livingston.

From Colonel Brearly to Governor Livingston.

Allentown, May 19, 1777.

Sir,—Your excellency will have delivered herewith a certain Giles Williams, who left this state last summer with Elisha Laurener and others, and joined the

enemy on Staten Island; he has for some time past been lurking in the Pines with a set of villains, but was very luckily taken last night in the edge of the Pines, by Lieut. Barton, and sent up to this place.

I am your excellency's most obedient and humble servant,

DAV^{D} BREARLEY, JUN.

His excellency, Governor LIVINGSTON.

From John Cox and Elijah Clark, to the President of the Council of Safety.

Forks of Little Egg Harbor, June 12th, 1777.

SIR,—We this morning received information from Capt. Bradley, at the Foxborough, that on the 10th instant, about six o'clock in the evening, a brig appeared off Little Egg Harbor Inlet, and made a signal for a Pilot, on which Joseph Sowey with his brother and two boys went off to conduct her into port, and were unluckily taken and carried off. Immediately on taking them on board, the brig proceeded to the mouth of Great Egg Harbor Inlet, where she again threw out a signal for a pilot, on which Mr. Golder, a noted man in that way, went off with his boat, and on approaching near enough to discover what she was, finding her to be a vessel of force, and observing her to hoist out her boat to windward, which was managed with some degree of precipitation, he immediately put about, and pushed for the shore, the enemy's boat pursuing with only two men appearing, and on

coming within about one hundred yards, a number of men instantly showed themselves, and fired on Golder and crew, who with some difficulty gained the shore, but were obliged to quit their boat, which fell into the hands of the enemy. As Sowey is one of our best pilots, and well acquainted with our Inlet, we doubt not he will be made use of by the enemy to bring in their tenders, and pilot them up the bay and river; which may be productive of the most fatal consequences, the inhabitants being in the most helpless condition and having a great number of cattle and other property that must immediately fall into the hands of the pirates, unless some spirited steps are immediately taken to prevent it; and being desirous of doing everything in our power to disappoint them, we have presumed to take from Capt. Shaler eight or ten pieces of cannon, belonging to a sloop of his lately cast away on the coast, which we have this day ordered down to the Foxboroughs, under his direction, with orders immediately to throw up a battery to defend the Inlet, and to annoy the enemy as much as possible, should they attempt an entrance.

There is now at Foxboroughs a guard of about 20 men, and Col. Clark will immediately order down as many more, to assist in doing the necessary work. Powder and provisions for the people will be immediately wanted. Shot can be procured here. We doubt not the hon'le Council will think it expedient to lose no time in giving the necessary directions for effecting what they may think ought to be done on this alarming occasion.

We are, with great respect, your most ob't and h'e ser'ts,

JOHN COX.
ELIJAH CLARK.

The Hon. the President of the Council of Safety.

From the President of the Continental Congress to Governor Livingston.

Philadelphia, June 12th, 1777.

SIR,—You are hereby requested to order out forthwith five hundred of the militia of the state of New Jersey, to assist in completing the works now erecting at Billingsport for the defence of the river Delaware, it being of the utmost consequence that the fortifications at that place should be completed without delay.

By order of Congress,

JOHN HANCOCK, Prest.

His Excellency, Gov. LIVINGSTON.

From Judge Morris to Governor Livingston.

Newtown, June 14th, 1777.

SIR,—Enclosed your Excellency has a list of the convictions, and the judgments thereon, at this very tedious, and I would have said, premature Court, if the Council had not thought expedient on mature deliberation to have appointed it. I had the pleasure to find Mr. Justice Symms here at my arrival, and confess if I had supposed the Council would have spared him for the business, I would not have travelled post over the

mountains through the rain and late into the night on so very short a notice.

Judges young in office, and not appointed for their legal erudition, associates but reputable farmers, doctors or shopkeepers, young officers, no council nor clerk, for want of timely notice, which was not even given to the sheriff, and this in a disaffected country, both witnesses and criminals to be collected from all parts of the state. Thus circumstanced was a court of the highest expectancy ever held in New Jersey; a court for trial of a number of state criminals, some for high treason, a crime so little known in New Jersey, that perhaps the first lawyer in it would not know how to enter judgment under our constitution. It would make an excellent paragraph in Gaine's veritable Mercury; no other printer would venture to publish it. In England where treasons and rebellions are from immemorial usage, become familiar terms, twelve learned judges from the first courts in the world, the members of privy council, and the first gentlemen in the kingdom, would have been sent on such an errand, and attended by old and experienced officers, and the ablest council at the bar; witnesses prepared, criminals to try, and seasonable notice given. But there the law is systematically administered, and the ministers of it have settled forms of practice, under an old constitution well understood. And here we have a new modelled government, incomplete in parts, young in practice, and contingencies unprovided for.

Seriously, sir, with due submission to the council, I

should have thought that for a court of such consequence, the members of the council and some of the bar ought to have been joined in the commission and requested to attend. We have set with great patience, and have now closed the third week. Had it not been for the negligence or villainy of a rascally gaoler, in suffering John Eddy, the only person indicted for high treason, to escape yesterday morning, I flatter myself we should have acquitted ourselves with tolerable success, and I hope have given satisfaction to the good people. This escape has given me much uneasiness, as I fear it will be undeservedly attributed to the inattention of the court. If the gaoler was not privy to the escape, which did not appear, he is perhaps too severely punished. The court in fixing his punishment had a retrospective eye to past abuses of this sort, and thought an early example of severity would be likely to prevent them in future. He appears to be a young simple fellow, unacquainted with the duties of his office, and not fully instructed by the sheriff, who has been almost daily cautioned on the subject. This gaoler's case is recommended to the mercy of your excellency and council, at such season as you shall judge expedient to exercise it. Mr. Att'y Gen'l will inform you of the particular demerits of the other convicts; some of them may hereafter be entitled to partial pardons; I wish I could say they were at this time. The little time the members of the court had for considering the commission after my arrival, hurried us into a matter which on further consideration I confess I am not satisfied with

I mean the short time between the teste and return for the præcipe for the Grand Jury. In England I observe fifteen days was ordered, on mature deliberation, of all the judges acting under the special commission of 1746. What the practice has been in New Jersey we do not know, as the clerk has none of the former circuit papers. If we have erred, it is partly chargeable on the council for appointing the court so shortly after issuing the commission, and they are bound to get the legislature to cure it. Had I had half an hour's time for thinking of the matter, it should have been otherwise.

In your letter notifying me of this court, you observe that my not attending the courtat Burlington had given uneasiness. Whatever private individuals might have thought, I am persuaded no member of the legislature had the least right to expect my attendance. Two hundred miles a day is rather hard travelling, and even that would not have done unless they suppose me possessed of the spirit of divination. I accepted my present office to manifest my resolution to serve my country. I mean to do the duty of it while I hold it, according to my best judgment. Whenever the legislature think they can fill it more advantageously, the tenor of my commission shall not disappoint them.

The court rose without adjournment, as it was not supposed they would have occasion to set again, unless Eddy should be retaken. If this should be the case I hope one of the other justices will be able

to attend; I fear I shall not. I wish the legislature before another court sits would take under consideration the judgment in high treason,—old indictments at the suit of the king,—and some other difficulties in former practice, which the Att'y Gen'l will mention to you.

I have the honor to be your excellency's very humble serv't,

ROB'T MORRIS.

Gov'r LIVINGSTON.

From Charles Pettit to Governor Livingston.

Burlington, June 15, 1777.

DEAR SIR,—You will receive herewith a draught of a Commission of Oyer and Terminer, which I have made from one of the old forms; it is a translation as liberal as the change of style will admit. I send also, by way of cover, the draught of the late commission for Sussex, so that you may have an opportunity of comparing them. On farther consideration, (though I have had no opportunity of examining books,) I am better satisfied that the Court of Oyer and Terminer may be legally held under such commission, if it were only by virtue of the Act for reviving and establishing the courts of justice. The only doubt that remains is the appointment of assistant justices to those of the Supreme Court, as it may be said they ought to be elected by the Council and Assembly; if so, it might be well at their next meeting to elect a set of associates for each county.

The late movement of the enemy has put the militia pretty generally in motion, except in this county where but few have turned out; something more may yet perhaps be done with them, especially as they hear their neighbors are going with cheerfulness and confident of success.

Friday and Saturday we were not quite free from alarming apprehensions, knowing but little of the enemy's strength, what course they would take, or what numbers of militia would turn out to aid our army; but we now imagine they will not reach far westward of Brunswick. I have, however, moved away the boxes I was some time ago desired to prepare, with their contents, leaving nothing but a few conveniences, for current business. You will know what I mean by this description.

You will scarcely expect anything in the news-way from me, as the attention of every one is now so fixed on the transactions of the part of the country you are nearer to than I am. I may, however, mention a report we had on Saturday last, (which seemed to come straight, and has not been contradicted,) that the enemy had invested Egg Harbor Inlet, and taken out two sloops and a larger vessel outward bound.

I am, with great respect, D'r sir, your most obedient, humble servant,

CHAS. PETTIT.

His excellency, Governor LIVINGSTON.

From General Heard to the Council of Safety.

Pompton, June 17th, 1777.

GENTLEMEN,—I send down this day several persons for your examination. They are charged with taking away in an unlawful manner some tea stored at Paramus. I also send Major Gordon with several examinations, and orders from his Excellency, General Washington, respecting it, and as they were not in actual service at the time of taking said tea, must refer them for your determination. The quantity of tea missing supposed to be near four hundred weight. Mr. Gordon will inform you more particularly.

I am, gent., your humb. ser't,

NATHANIEL HEARD.

Council of Safety.

From Charles Pettit to Governor Livingston.

Burlington, June 19th, 1777.

DEAR SIR,—I had the honor to enclose to you a few days ago a draught of a commission of Oyer and Terminer, &c., but as conveyances are uncertain, I know not when it may reach you. Last evening I received the enclosed letter from Col. Cox, and in order to convey it to you, I shall send this to the commanding officer at Bristol, with a request to forward it, either by the return of an express, or by some officer going to head quarters. I would beg leave to recommend it to your Excellency's consideration, whether it would not

be proper to order a part of the militia to watch the motions of the enemy about the Egg Harbor Inlets. I have been informed the militia, from Trenton upwards, have turned out with great zeal and unanimity. I also heard they are doing the like in the counties southward of this; but that from an apprehension of danger on their own coasts, where the enemy's vessels are constantly in view, and daily making descents in small parties, they will march very reluctantly from that quarter. Some, however, are on their march, and from what I can learn they would come from thence pretty generally, were it not for the consideration I have mentioned; and they now think themselves the more exposed there, as the Pennsylvania troops are withdrawn from Billingsport. Your Excellency will judge how far it will be proper to alter the orders respecting the militia of the southern counties. As to this county, I fear but little is to be expected. A baneful influence has been too much spread among the people, and though there are yet many among them who would willingly act with propriety if they knew how to set about it, their services are lost to the public for want of active and spirited officers of weight and influence to collect and draw them to a point. In these alarming times, there seems to be a necessity for some established mode of conveyance from this quarter of the state to your Excellency. At present, were the exigency ever so pressing, I should scarcely know by what route to send an express to you, or where you might be found.

In the neighborhood of the army, I apprehend the

military power must in a great measure overshadow the civil, but at this distance from it, the Executive power of the government would give vigor to the public measures. As to affairs merely of a civil nature, there may not be immediate necessity to call your Excellency's attention to them, as the government is so far established in this quarter of the state as to work its way pretty well in the ordinary course. But having the enemy all around the coast, exigences are constantly arising which require exertions and military arrangements that I am apprehensive our officers are not equal to, and both the commander-in-chief of the state, and commander-in-chief of the army, being at so great a distance, I fear will be attended with inconvenience.

I have said more than I intended when I began this letter, and perhaps more than it becomes me to say on subjects of this kind, but as it has arisen merely from a regard to the welfare of the state and the honor of your government, I am persuaded you will consider it as an emanation of friendship, rather than impute it to an impertinent desire of intermeddling in things out of my line of duty. If the hints I have mentioned produce any effect for the good of the state, they will not meet with your censure; if otherwise, I hope they will be esteemed at least innocent, and escape reprehension, from the goodness of the motive which gave rise to them.

People in general, as well in Philadelphia as in this part of Jersey, are far from being dismayed at the late manœuvres of the enemy: on the other hand, they

think the cause never had a fairer prospect of success than at present. And so long as this sentiment does not lull us into sluggish security, it may be rather beneficial than otherwise.

I am, with great respect, your most ob't and h'e sv't,

CH'S PETTIT

His Excellency, Gov. Livingston.

From Joseph Hedden, Jr., to Governor Livingston.

Newark, June 21st, 1777.

Sir,—I take this opportunity by a light-horse sent by Major Hayes, to transmit to your Excellency the names of the women that have their husbands at New York or Bergen, with the enemy. Nothing new in this town since I saw your Excellency. I am daily applied to by some of the inhabitants of this place to nominate some fit person to act as deputy Surrogate. There are a number of wills to be proved, and letters of administration granted, and no person in this county qualified to act in that office. If your Excellency would please to appoint Elisha Boudinot, Esq., to that office it would greatly oblige a number of the inhabitants of this town. There yesterday came to this town one Caleb Bruen, who was taken prisoner about eight weeks ago by the enemy, at or near Paramus. I suppose he is sent by Mr. Brown and Mr. Isaac Ogden to get intelligence. He is to return back to New York in three or four days, and shows a pass from Gen. Pigot to come to Newark and return to New York. If your

Excellency thinks proper said Bruen should be permitted to return to New York, please to inform me by the bearer.

I am your Excellency's most ob't and h'e serv't,

JOS. HEDDEN, JR,

His Excellency, Gov. LIVINGSTON.

Names of the Tory women.

Elizabeth Bailey,	Hannah Ward,
Mary Longworth,	Abigail Ward,
Sarah Crawford,	Elizabeth Wheeler,
Margaret Nichols,	Mrs. Connelly,
Catharine Longworth,	Elizabeth Brown,
Phebe Banks,	Sarah Sayres,
Lydia Sayres,	Polly Wood.

From General Dickinson to Governor Livingston.

Boundbrook, June 26th, 1777.

DEAR SIR,—I received yonr Excellency's letter by Mr. Runyon; which together with the information received from several members who attended the joint meeting at the time of my being chosen, has given me the sincerest satisfaction. I do accept the commission of Major General as a mark of the approbation of my conduct, of the honorable Council and Assembly of this state, and shall on all occasions endeavor to render the most essential services in my power.

Neither my own health, nor the situation of my family, would permit me to accept a commission that

should oblige me to do duty as I formerly did. But whenever there is a general call for the militia I will attend, and continue as long as the militia remain out, or his Excellency shall think proper. I have been informed by many gentlemen of both houses the appointment was made with that view.

His Excellency, Gen. Washington, last evening requested me to send up Gen. Heard with about 500 men to Pompton, to take his old station. As I apprehend it will come with more propriety from your Excellency, I beg the favor of you to send such an order. Should your Excellency, upon a similar occasion in future, think it proper for me to issue such an order, you will please to signify the same.

Several persons in the counties of Burlington and Hunterdon, I am informed, have an inclination to form themselves into a troop of horse, as there are not any in that part of the state; and their utility being sufficiently known to your Excellency, I should be glad you would give permission for raising a troop. Captain Gamble, of Burlington county, has offered to raise a troop, should your Excellency think proper to commission him. He says young Mr. Nosder will accept a commission, and also Mr. Israel Carle, of Hunterdon county, will take the Lieutenancy. There may be some rules respecting this matter that I am not acquainted with; whatever they are must be known to your Excellency. But as we have an immediate and pressing occasion for a number of light-horse, I beg leave earnestly to request you will give this matter immediate

dispatch. This letter is prepared in great haste, upon a shattered table, and in a crowded room. Your Excellency will therefore excuse inaccuracies.

As his Excellency has dismissed the militia, upon their promise of an immediate return if necessary, shall go to Trenton for a few days if nothing material happens.

Your Excellency's most ob't ser't,

PHILEMON DICKINSON.

His Excellency, Gov. LIVINGSTON.

From Major Hayes to Governor Livingston.

Newark, June 30, 1777.

SIR,—In pursuance of your excellency's order of the 24th instant, ordering me to remove from the county of Essex certain women and children therein mentioned, I last Saturday sent the following women with their children on the east side of the Hackensack River; viz: Catharine Longworth, Elizabeth Bailey, Hannah Ward, and Mary Wood; Phebe Banks had gone to New York by way of Hackensack before the order came to hand. Elizabeth Wheeler is too sick to be removed. I cannot find any such person as Anna Clark Ritter in New York or Elizabethtown.

I have the honor to be your most ob't ser't,

SAM'L HAYES.

His Excellency, Gov'r LIVINGSTON.

From Joseph Hedden, Jr., to Governor Livingston.

Newark, June 30, 1777.

Sir,—On Saturday last we had an alarm here, and expected the enemy in town within an hour from the time the alarm was given. My first thought was the prisoners which we have confined here. Upon going to the jail I could find neither sheriff nor jailer to consult with in regard to their safety. The sheriff lives some seven miles from the town, and the jailer ten. The enemy can at any time they please, with a party of men, and with the assistance of their flat-bottomed boats, ravage this part of the country, and carry off who and what they have an inclination for; and it is imagined they will make an excursion to this place, before they entirely quit the Jerseys for forage and provisions. If your excellency and the honorable council think it proper the prisoners should be removed from this town, to some more remote part of the state, please to give some directions about that matter. Four of the villains who are confined here, the sheriff has given liberty to use the court room, and has also given the jailer orders to admit certain persons to have free access to them, who are thought to be unfriendly to the country. Mr. Camp will give you more particular information on this subject.

I am, sir, your excellency's most ob't and hum. ser't.

JOS. HEDDEN, Jr.

His Excellency, Gov. Livingston.

Chief Justice Symmes to Governor Livingston.

Newtown, June 14th, 1777.

SIR.—Since I wrote your excellency yesterday evening, I have further to acquaint you, that two of the culprits that escaped on Monday are taken and brought back to jail. The county is all out after the others, and I hope more will be taken. I cannot procure the express I last night expected, but am promised one in the morning by the sheriff. I submit to your excellency and the gentlemen of the Council of Safety, the great necessity there is of again opening the court of Oyer and Terminer in this county, to try these two for felony, as taking the arms and keys in the manner they did will no doubt tuck them up. An exhibition of this sort will work wonders. The people cry out to a man, "let them be hanged;" and a gallows was never adorned with two *gems* more deserving of it. James Morris and one of the Atwoods are the two taken. The presence of the Council of Safety, and a little more of the Court are as necessary at this time, as the rays of the sun are to vegetation. Since writing the above, the scouts have come in with three more, five in all. While the enemy are in your neighborhood, I humbly conceive your exertions will operate to better purpose at a distance. "The military overshadowing the civil," says Mr. Pettit.

I remain, sir, your most ob. ser't,

JOHN C. SYMMES.

His excellency, Governor LIVINGSTON.

Newark, July 1, 1777.

Sir,—I received Mr. Paterson's letter of this day, about half an hour since, and in compliance to your excellency's request, send you a list of the names of the prisoners confined here and at Elizabethtown, with their crimes, &c., &c.

Peter Dubois, John Robinson, Eliphelet Johnson, Thomas Codmus, Jr., and James Nuttman imprisoned by the inferior court held here last week, six months for refusing to take the oaths of the state.

John McGinness and Jno. Havens, imprisoned by said court nine months, for attempting to go over to the enemy.

Isaac Ogden, an old offender, and one whom your excellency knows.

George Watts and Jno. Edeson, committed to goal for treason, have not yet had their trials.

Aaron Kingsland, committed for passing counterfeit money; not yet had his trial.

The above persons are in the goal of this town.

Morris Hetfield and Baker Hendricks, removed from this goal, by order of the sheriff, to Elizabethtown gaol, and are committed for passing counterfeit money; not yet had their trial.

The enemy have left Amboy and gone over to Staten Island and Bergen. I think this town is much more exposed now than when they were below us. I beg your Excellency will favor me with an

answer by the return of the bearer, with sufficient instructions.

I am your Excellency's most humble servant,

JOS. HEDDEN, JUN'R.

His Excellency, WILLIAM LIVINGSTON, Esq., Governor and Commander-in-Chief of the state of New Jersey.

[*Drafted by William Paterson on the foregoing sheet.*]

Whereas Peter Dubois, John Robinson, Eliphelet Johnson, Thos. Codmus, Jun'r, and James Nuttman stand committed in the common goal at Newark, in and for the county of Essex, for the space of 6 months by the order and judgment of the court of General Q. Sessions of the Peace for the said county, for refusing to take the oaths of Ab. and Al., agreeably to law. And whereas John McGinness and John Havens were by order of the said court imprisoned for 9 months on being duly convicted of a misdemeanor for attempting to go over to the enemy; and whereas Isaac Ogden, George Watts and John Edeson are imprisoned in the goal aforesaid, being charged with high treason; and also whereas Aaron Kingsland and Morris Hetfield and Baker Hendricks are confined, the first in the goal aforesaid and the two latter in the goal at Elizabeth Town, being charged with felony for altering and passing bills of credit, knowing them to be altered; and it being represented to this board that the vicinity of Newark and Elizabeth Town to Staten Island and other places in possession of the enemy, their exposure to incursions render it necessary that the persons above

named should be removed to some more distant and secure place in the state. It is therefore agreed that the persons aforesaid be confined in the com. goal at Morris Town, and that orders of removal be immediately made out and executed.

From General Forman to Edward Taylor.

Middletown, Monmouth County, July 2d, 1777.

Sir,—Several complaints have been made to me respecting your conduct, particularly for acting as a spy amongst us, and from several corroborating circumstances, especially that of giving information to a party of tories and British, commanded by your son, George Taylor, late militia Col. in this county, now a refugee, by which means your son and his party escaped the pursuit of a body of militia sent to attack them. I do therefore enjoin it upon you that you do for the future confine yourself to your farm at Middletown, and do not re-attempt travelling the road, more than crossing it to go to your land on the north side of said town, unless by liberty obtained from the legislative body of this state, or this order be recalled, under the risk of being treated as a spy.

Yours, &c.,

DAVID FORMAN, Brig. General.

From Governor Livingston to General Winds.

Morristown, July 3d, 1777.

Sir,—You are hereby directed to detach 200 men of the militia of this state, viz. 200 from the county of

Morris, and the remaining 100 from the counties of Sussex and Essex, to be employed in apprehending disaffected persons agreeably to the directions of the Governor and Council of Safety of this state; and whenever the men are raised and properly equipped, (which is to be done with all possible expedition) you are to notify the same to the Governor and Council of Safety; upon which you will be furnished with a list of the persons to be apprehended. The men are to be charged not to commit any depredations upon private property.

The above detachment will only be a Major's command. It is not expected that you will command them in person unless you choose to do it. By a late resolution of Congress, no other pay is allowed to any officer, beyond that, to which the officer whose proper command the detachment is would be entitled. It is thought that Major Hayes of Newark would be a very proper officer to command the party. This order not being founded on the Militia Act, but merely authorizing the Council of Safety to call out the militia to carry their orders into execution, does not admit of any fine or compulsion.

Your obed't serv't,

WILL. LIVINGSTON.

From Governor Livingston to General Washington.

Newton, Sussex County, July 7th, 1777.

SIR,—By order of the Council of Safety of this State, General Winds has collected 200 of our militia

to proceed to the county of Bergen under the command of Major Hayes of Newark, a prudent and active officer, to apprehend such disaffected persons in that county as the Council of Safety think it most necessary for the public interest to commit to jail, and to assist the commissioners for securing and disposing of the personal estates of those who have gone over to the enemy. These commissions cannot be properly executed in that county without military aid. Both these services being of the last importance to the general interest, we doubt not will meet your Excellency's approbation and encouragement. As General Winds acquaints me that the men are destitute of ammunition, it would greatly facilitate the enterprise if they could be furnished out of the continental magazine and charged to this state, unless it is to be more properly considered as a continental expense. Whether I can with propriety ask this favor of your Excellency, to permit the party to draw provisions from the public stores, I am at a loss to determine. If not, they must be provided as well as they can.

With great respect, your Excellency's most humble and ob't serv't,

WILL. LIVINGSTON.

His Excellency, Gen'l Washington.

From Joseph Hedden, Jr., to Governor Livingston.

Newark, July 9th, 1777.

Sir,—The commissioners are much impeded in their business on account of the tory women that remain

with us. They secrete the goods, and conceal every thing they possibly can from them, which gives them a great deal of trouble. There is here one James O'Brien and his wife that have been great plunderers and concealers of goods, and when called upon for any thing, they petition to leave and go among christians, and not to be detained among brutes, as they call us in this town. Pray make an order to send them among their christian friends, our enemies. I send the following list of women whose husbands are with the enemy—Mary Kingsland, Mary Stager, Filia Risser, Sarah Garrabrant, Mary Grumfield, Elizabeth Howet, Martha Hicks, Autta Van Riper, Susanna Wicks, Mary Garrabrant, Jane Drummond, Sarah Sayres, Lydia Sayres, Margaret Nichols, Elizabeth Brown, Sarah Crawfoot, Abigail Ward.

Sending the above women after their husbands will be an advantage to the state and save the commissioners a world of trouble.

I am, Sir, your most ob't and hum. ser't,

JOS. HEDDEN, JR.

His Excellency, Gov. LIVINGSTON.

From Joseph Hedden, Jr., to Governor Livingston.

Newark, July 21st, 1777.

SIR,—This day I received an account of sundry tories that were taken up by Col. Morgan the 20th instant, and sent by said Morgan to Major Hayes. He being out of the way I thought proper to acquaint your

Excellency with the affair. I send the prisoners, with their crimes. Inclosed you have a list which Col. Morgan sent with them, their names are as follows: James Smith, Edwd. Allen, Abrm. Van Gesan, Jonah Allen, Corns. Van Gesan, Jno. Stager, Aaron Clawson, Egbert Sanders, and Isaac Van Gesan. I have solicited a guard to send them to Morristown, to be examined by your Excellency and the Council of Safety. This town is this day evacuated by the continental troops, and no militia called in their stead.

There is one Thomas Barrow of New York sent a sum of money to be paid to a gentleman in this state; and as the matter hath come to the commissioners' knowledge, would be glad to have your Excellency's opinion whether the money shall be detained by the commissioners or given to the person for whom it was designed; this said Barrow moved fromt his town last winter while the enemy were in possession of it.

I am your Excellency's most humble serv't,

JOS. HEDDEN, Jun'r.

His Excellency, Gov. Livingston.

From General Dickinson to Governor Livingston.

Trenton, August 1st, 1777.

Sir,—In consequence of business sent me by order of his Excellency, General Washington, I came to Philadelphia several days ago, and to this place last evening. The General then expected the fleet was certainly going to Philadelphia, but its real destination

yet remains a secret. I should be much obliged to your Excellency to inform me what orders you have issued respecting the militia of this state, that I may not be at a loss should they make their appearance suddenly, as I do not intend returning to my family until the designs of the enemy are known.

I mentioned to your Excellency some time ago the necessity I thought there was for a troop of light-horse in this part of the state, to which I have received no answer: perhaps the letter never reached your Excellency. Their utility is too well known to enlarge upon the subject. I found great difficulty this day in procuring this express, and another to his Excellency, Gen. Washington. If your Excellency thinks proper to authorize me to raise a small troop here, and will signify the same by the return of this express, I will undertake it immediately, and doubtless it may be speedily effected. I could give the officers certificates (by your permission) and then they may receive their commissions from your Excellency. I would propose raising the troop in Hunterdon and Burlington counties, taking officers from both. It is a matter of immediate consequence, therefore beg your Excellency's answer.

I formerly received instructions to give orders on either of the Treasurers for the payment of expresses, should be glad to have your Excellency's order respecting the same. I have employed Mr. Runyon to furnish them several times, who takes receipts and keeps an account.

I wrote to your Excellency that I was entirely

satisfied in regard to my appointment, but have not received the commission. Will your Excellency be pleased to send it by this express.

I remain your Excellency's most ob't and humb'e ser't,

PHILEMON DICKINSON.

His Excellency, Gov'r LIVINGSTON.

From William Paterson to Governor Livingston.

Newark, August 12th, 1777.

DEAR SIR,—I have sent you a certain Mr. Macomb for examination. He came out of New York with a flag from Gen'l Jones, in order to go to Brunswick on private business. He landed at Amboy, where there was no officer to receive him; from thence he proceeded to New Brunswick, at which place, he says, he procured a passport from Mr. Voorhes, a militia officer, to go up to Millstone. He returned to Brunswick, and Mr. Voorhes conducted him to Elizabethtown. This transaction wears a singular complexion, and is not, I believe, conformable to the rule which governs flags, and which is established in the military department. He has travelled through a considerable part of Jersey in a very improper manner. When he came to this place, Major Hayes was directed to take charge of him until he could be conveyed to Gen'l Sullivan, who, we understand, is the nearest general officer belonging to the Continental Army. However, I thought it most advisable to send him to your Excellency, who can proceed in the matter, and take such order respecting

him as may be judged most proper. The enemy if we may judge from their general course of conduct, would not suffer a flag from us to behave in the like manner, without due notice and chastisement. They would have consigned him instantly to the care of their provost guard.

General Lee is on board of the Centurion, and Captain Manly, of the Portland. Captain Lowrey, of Jersey, who was taken in the late skirmish near the Short Hills, was confined in the Provost in New York, and in which he died a few days ago. I am amazed that the Congress do not act agreeably to their Resolution, and push into exercise the law of retaliation. We deserve to be insulted, because we bear it. If we were to treat the soldiers of the enemy, who are prisoners with us, in the same manner that they treat our soldiers, who are prisoners with them, it would soon produce a mild and humane course of conduct. All the Jersey officers who have been taken by the enemy, are now in the Provost, and treated in the most severe and barbarous manner. Perhaps a letter from your Excellency and the Council, addressed to Congress, might be productive of the happiest effect. Mr. Justice Smith arrived at this place yesterday about noon. The Chief Justice and Mr. Smith agreed that it would be improper to hold the next Supreme Court at Amboy, and I make no doubt your Excellency will be of the same opinion. I wish that your Excellency and the Privy Council would direct an ordinance to be made out altering the place, but not the time of holding the Court. I requested

the Judges to give their opinion respecting the most proper place to have it held, and on considering the matter, they agreed that Princeton, which lies in the Eastern Division, would be the most proper place. The Supreme Court will come on the first Tuesday of next month.

We have not any militia from Hunterdon, Somerset, or Sussez. We have an excellent Grand Jury, Mr. Pettit at the head of them. They have already found twelve bills.

I am your Excellency's most ob't Serv't,

WM. PATERSON.

His Excellency, Gov. LIVINGSTON.

From Captain Webster to Colonel Frelinghuysen.

Piscataway, August 17th, 1777.

SIR,—I, having received information that James Wells and Richard Churchward, (both of which had left their families and gone off with the enemy,) were at Raritan Landing, I immediately dispatched a file of men out of my company to apprehend them, which, when brought before me, they acknowledge to have come from New York in order to fetch their families thither; that their employment was catching clams and oysters for the enemy; that they had a pass to go within the king's lines; that they refuse to take up arms in defence of the American states, &c. Therefore, as our situation is at present very dangerous—there being no troops to guard between us and the enemy—I think it

highly necessary that such known enemies should be kept in custody, and not to be suffered to return unpunished. Upon the above confession I have given orders to the guard to deliver said Wells and Churchward to Col. Frelinghuysen, to be dealt with by him as he shall think proper.

JOHN WEBSTER, Capt.

To Col. FRELINGHUYSEN,
or to either of the Commanding Officers in his absence.

From Brig Gen. Newcomb to Governor Livingston

Woodbury, August 25, 1777.

SIR, Having frequently been informed, that a number of the inhabitants of Downs, in Cumberland county in this state, had made a practice of going on board the enemy's ships in Delaware Bay, and in other respects favoring the designs of the British administration in traitorous acts and speeches against the authority of these states ;—on the 5th inst., I issued orders to Major Ewing to detach from the militia a sufficient number for that purpose, and apprehend the persons suspected to be guilty as above, which orders the Major has executed, and makes me the following return:—That on the 7th inst. they proceeded as directed, and apprehended fifteen of the above persons, twelve of whom were discharged by the civil authority, on taking the oaths of the state. Three were convicted of the following crimes: that they had been on board of the enemy's ships, had met and treated with the enemy on shore, and had received

instructions from them how to conduct themselves in case of an alarm, which instructions were delivered to them by a certain Daniel Shaw, their ringleader, on a day previous to the enemy's landing, with assurance they would land at such an hour, as they actually did. It is likewise proved against said Shaw, that he had laid a design with his gang, to seize upon me in the night and take me on board the enemy's ship; that he made application to a blacksmith for a number of spikes to spike the cannon placed in a redoubt near Morris River, which the smith refused to do, and he was one of his confederates and still bore this testimony against him. Although the evidence was directed chiefly against Shaw as their chief, yet others are his accomplices, and constant associates are doubtless equally guilty. Some of those who were discharged by the court acknowledged they have been on board the ship, but it appears that for some time past they have conducted better, and have avoided the company of Shaw altogether. One of the principal villains, brother to Shaw, is now with the enemy, and two others keep out of the way, that they cannot be taken.

This is the return made by Major Ewing, and I should be glad to be favored by your excellency with directions in what manner these cases shall be tried; and whether if they are willing to enter on board the continental fleet, they may not be permitted to do so, previous to trial.

Agreeably to your orders I am now at this place with nea 300 of the militia of my brigade, which number was furnished by the following regiments, and in the

following proportions, viz.; Col. Hand's 60, Potter's 24, Holmes' 110, Dick's 20, Ellis' 55; the other regiments furnished none, nor have any appeared from Burlington as your orders intimated. I would submit it to your excellency whether, as the movements of the enemy are so precarious, the orders given me might not be more discretionary, as I am always on the spot, and the distance so great that the service might suffer before proper orders could be procured from your excellency on every occasion.

I am your excellency's most ob't and hum. ser't,

SILAS NEWCOMB, B. G.

His Excellency, Gov. LIVINGSTON.

From Silvanus Seely to Governor Livingston.

Elizabethtown, August 21st, 1777.

SIR,—I received information yesterday that there had gone over a canoe and three men the day before to Staten Island. I immediately sent off a small party to watch them; they accordingly did so, and in the evening took the canoe and one of the men, Benjamin Hatfield. I send him to you by Peter Williams and John Bonnel, Jr., two of the men that apprehended him. He denies that any men went over with him, but says that Jacob Hatfield and James Hatfield went down with him to get his boat off. I am inclined to think this is true. I make no doubt both these fellows went down and helped him away, and then returned, as I know they were in town at the time the canoe

was seized. Our men found with him 1½ gallons of rum, 1 lb. tea, sugar and salt, and sundry small writings which I have enclosed. Please inform me what I shall do with the goods taken with him.

Your ob't and humb. serv.,

SILVANUS SEELY.

His Excellency, Gov. LIVINGSTON.

Captain Craig to Colonel Frelinghuysen.

August, 1777.

DEAR COL.—Agreeably to your order of last evening I marched what men I could muster to Trumblys' Point, and posted them in such manner as I thought best, to receive the enemy if they came over. No movement was perceived in that quarter, but was informed that they landed at Woodbridge Neck, about 80 men, and took off ten of the inhabitants as prisoners, and above one hundred head of cattle, and no person to oppose them. It is with the greatest difficulty that I am able to keep my company together, as they have been expecting to receive assistance, and if not very soon rendered, I shall scarcely be able to keep this post. The enemy were over near Woodbridge Neck night before last, and seized three of the inhabitants within one mile where we lay. I must likewise beg the favor of being supplied with cartridges, as we have not more than one round apiece.

Your most ob't ser't,

JOHN CRAIG.

Col. FRELINGHUYSEN, at Elizabeth Town.

From Ebenezer Hazard to Governor Livingston.

Philadelphia, August 23d, 1777.

Sir,—Some time last fall a certain Andries Buskirk was employed as a post rider between Hackensack (at which place he lived) and my office in the state of New York. He rode but three or four trips before the mail fell into the hands of the enemy at Hackensack. General Washington's letter to Congress upon that occasion intimated that this was not an accident, but the effect of design in the rider; which I am inclined to think was the case, as his Excellency, Gen. Washington, asserts nothing as a fact but upon good authority. I have been informed the rider was apprised of his danger, and took no care to avoid it. As I am told Buskirk is now in confinement in Newark, I beg your Excellency will be pleased to direct an inquiry to be made respecting this matter, that if Buskirk has been treacherous, he may be punished. His son rode at the time the mail was taken, but as Buskirk, himself, was the person we agreed with as a rider, he is answerable for the conduct of those he employed under him. It is not unlikely his son is at Hackensack, and may be easily taken, I think his name is Andries. It is said that Dr. McLean of New York, kept the rider in chat till the enemy came up. I beg to be favored with a line in answer to this, and am

Your Excellency's most obedient and very h'e ser't,

EBEN. HAZARD.

His Excellency, Governor Livingston.

From Colonel Frelinghuysen to Governor Livingston.

Raritan, August 25th, 1777.

Dear Sir,—I expected yesterday to find your Excellency at Morristown, and am extremely sorry that your Excellency left the place before I arrived. I have so much to communicate and so much to complain of, that I am extremely anxious to see you, but conceive it my duty to repair again to my station before night, which I could not reach should I first go to Princeton. I am besides so much fatigued by losing my rest for two nights past that I must necessarily choose the shortest road.

Col. Middah waits upon you, and will represent to your excellency several things, concerning which I have not time to write. In particular the Colonel will acquaint you with the circumstances of the affair, on Staten Island, for I suppose my letter on that subject having been sent to Morris is not received. The principal matter on which I am so desirous of conversing with your excellency, is the unhappy situation of our state. The continental troops are to march towards Philadelphia. The militia who have turned out are a trifling number; the enemy are encouraged and irritated. The consequences, I fear, will be fatal to that county; nay, I have reason to believe, the enemy will not lay idle after the removal of the continental troops. Is it not in your excellency's power to prevail upon General Sullivan to leave one of the Jersey regiments? If so, it is the only means, I believe, which can be

used for the salvation of that county. I must certainly fall a prey to the enemy with my little party, if the enemy choose to come down, and we attempt to drive them back. I fear much the loss of character, but I am most concerned for the poor inhabitants, and their property. I am however determined to exert my utmost abilities for the defence of this state; and I trust I shall not be blamed for any of my future conduct by those who are unacquainted with my situation. I must inform your excellency, that I have four prisoners who were taken up as spies, having been with the enemy all winter, and are now making their appearance among us. I shall send them on with the two before apprehended. Your excellency's directions respecting such measures as Colonel Middah will mention, I hope will be immediately forwarded, especially with reference to the procuring of ammunition. I must not forget to congratulate your excellency on the great loyalty of Hunterdon county. On Saturday arrived at Elizabethtown Lieut. Col. Houton, with one private, a baggage wagon and two horses. The Colonel says it is occasioned by a report having been industriously spread among the inhabitants, that General Dickinson advised them by no means to go, there being no need of any militia; that their being called upon was solely owing to a whimsical notion of General Hinds. Something, doubtless, must be immediately done upon my arrival at Elizabethtown. I shall order Col. Houton to return, and wait upon your excellency. I dare say the account of General Sullivan's conduct in the affair of Staten

Island will cause some uneasy sensations. I wish I may be wrong in my opinion, but I seriously believe that upon inquiry, nothing but the most unpardonable neglect will be found the cause of our loss. I send by Col. M. three letters, which I received last night.

I am your excellency's most obedient and most humble servant,

FRED^{K} FRELINGHUYSEN.

His Excellency, Gov. LIVINGSTON.

From Edward Taylor to Governor Livingston and the Legislature.

Middletown, August 25, 1777.

GENTLEMEN,—As the ear of the Legislature of New Jersey is always open to hear the complaints of the people and to redress grievances, I therefore take this opportunity to make my complaint to your honorable body. I may be remembered by some of you who attended the Governor at Bordentown as a Council of Safety, when I was ordered to attend by the commanding officer of this county. I accordingly attended, and was bound over to attend the next court of Oyer and Terminer that should be held in this county, which I thought was for small charges, though was better satisfied, thinking as I was a prisoner to the Governor, under bail, I should be free from insult from the military authority without just cause, but to my great surprise I found my mistake. I was sent for to appear before the commanding officer, Gen. Forman, and made a prisoner,

as you may see by the enclosed letter. The charges made against me are entirely unjust. I am as innocent of them as the child unborn. Though innocent, I strictly obey the order of confinement, which is a considerable damage to me in my business, having a grist mill at the distance of two or three miles from where I live, and nobody but servants of my own house to attend there, whom I cannot trust without my being present to oversee them, which occasions my mill to stand idle the chief part of the time, which is a great damage to my neighbors as well as myself. My farming business is also neglected, part being at a distance from where I reside. I therefore hope my complaint will come under your speedy consideration, and that I may be ordered to appear before your honorable house, and my accusers also, that I may know who they are or what they will say against me. If my request should be granted, I should take it as a favor from his Excellency, the Governor, to send an order for me to appear, which may be a protection for my person in my journey, and also an order of protection for my family and property during my absence, which favors will be gratefully acknowledged.

Your most ob't and hum'e serv't,

EDWARD TAYLOR.

His Excellency, Gov. LIVINGSTON, Commander-in-Chief, and the Hon. Council and Gen. Assembly.

List of Prisoners ordered to Princeton.

Elizabethtown, August 27th, 1777.

Taken and detained for having gone into the enemy's lines and returning to this state:

James Worth, apprehended by order of Col. Frelinghuysen.

Benjamin Worth, taken just after the action on Staten Island, he having left the Island when the action began.

Jonathan Clauson, Cornelius Clauson, apprehended by Major Dunn for having joined the enemy when in Jersey.

James Wells, Richard Churchward, left the Island and came to Jersey, apprehended by Capt. Webster.

James Compton, apprehended by Major Davison.

James Hetfield and Jacob Hetfield, apprehended by order of his Excellency, Governor Livingston.

To Lieutenant Allen—

You are required to march forthwith with 6 men and take the above prisoners to Princeton and deliver them to his Excellency's order.

FREDK. FRELINGHUYSEN, Col.

From the President of the Continental Congress to Governor Livingston.

Philadelphia, September 5th, 1777.

Sir,—In the present exigency of public affairs, the Congress have come to the enclosed resolve, which I

have the honor to transmit, and which I am to request you will comply with as soon as possible.

The militia of the state of New Jersey by their late conduct against our cruel enemies, have distinguished themselves in a manner that does them the greatest honor; and I am persuaded they will continue to merit on all occasions, when called upon, the reputation they have so justly acquired. Those which the Congress now request you will order out, it is their desire you will order to rendezvous at Bristol.

It will be highly agreeable to Congress to give the command to Gen. Dickinson, should the appointment fall in with your judgment. and I have reason to believe he will cheerfully accept of it, if you should think proper to put them under his direction.

I have the honor to be, with the greatest respect, sir, your most obed't and very h'ble serv't,

JOHN HANCOCK, Presid't.

His Excellency, Governor LIVINGSTON.

From the President of the Continental Congress to Governor Livingston.

Philadelphia, September 12th, 1777.

SIR,—It is the earnest desire of Congress, and I have it in charge to inform you of it, that you will immediately order out four thousand of the Jersey militia to reinforce the army under General Washington with all possible expedition.

If you should not be able to call out that number, it

is the request of Congress that you will call out as many as possible in this critical state of our affairs.

I have the honor to be, with great respect, sir, your most obed. serv't,

JOHN HANCOCK, Presid't.

His Excellency, Governor LIVINGSTON.

Governor Livingston to Brigadier General Newcomb.

Haddonfield, September 20th, 1777.

SIR,—As from the real bravery of our militia, and the terror with which they have already frequently struck the enemy, they will doubtless be of essential service in opposing the progress of the enemy towards Philadelphia, I think it best those now collected at Woodbury should immediately march to join the militia under the immediate command of General Armstrong, and to reinforce the army under the command of his Excellency, General Washington. This detachment, I am persuaded from your zeal for the cause, you would upon this important occasion be desirous of commanding in person. But as in all probability the enemy's fleet, should their land army meet with success, will attempt to ravage our coasts, and they may perhaps throw over some troops besides, I think your presence will be more necessary in this state. You will therefore direct Capt. Potter to take the command of the troops

now at Woodbury, and to march them with all possible expedition as above directed.

I am your hum'e serv't

WILL. LIVINGSTON.

Brigadier Gen'l NEWCOMB.

From Governor Livingston to the President of the Continental Congress.

Princeton, October 4, 1777.

SIR,—The council a few days ago was informed, but not officially so, that Mr. Penn, late Governor, and Mr. Chew, late Chief Justice of Pennsylvania, with some others, had been removed to the Union, in the county of Hunterdon, by order of the Hon. Board of War. We are extremely sorry that persons of their political caste and rank in life should have been sent into this state, which is nearly encircled by the enemy, to say nothing of our domestic foes. Wherever the enemy go they never fail to make friends and abettors, or at least to call up such into active life in their favor as during their absence remained in a sort of inactivity. We have suffered extremely from persons under parole. A course of experience has fully convinced us, that they have always tinctured the neighborhood in which they have been fixed with toryism and disaffection. There is hardly a county in this state which is not at present exposed to the incursions of the enemy; and therefore we submit it, whether it be proper to send any suspected persons into it. They have an imper-

ceptible and baleful influence even upon the well affected. We request, therefore, that the above gentlemen may be removed into some other state as soon as possible. Of all Jersey, the spot in which they are at present is the very spot in which they ought not to be. It has always been considerably disaffected, and still continues so, notwithstanding all our efforts, owing, we imagine, in part to the interests, connection, and influence of Mr. John Allen, brother-in-law of Mr. Penn, who is now with the enemy. Of this the Board of War must have been entirely ignorant, otherwise they would not have made such an order of removal. And we are willing to ascribe it to the hurry and multiplicity of of their business, that either the honorable the Congress, or the Board of War, should have selected any part of New Jersey as a prison for mal-contents, without first notifying the same to the executive power of the state. Nor can we persuade ourselves that they will have any objection against our removing the before-mentioned prisoners out of this state, to such other parts of the country as Congress may think most fit for their safety, or, if they must remain in this state, to leave it to our direction in what particular locality, they are likely to do the least mischief.

I am your ob't and hum. ser't,

WILL: LIVINGSTON.

His Excellency,

John Hancock, Pres't of Congress.

From Colonel Maxwell to Governor Livingston.

October 4, 1777.

SIR,—As Col. Dayton is going to your excellency on the business I designed to write upon, and his excellency, General Washington, having wrote to you fully on that head, my designs are nearly anticipated. However, I will offer something, viz: If our state does not keep a watchful eye over their troops in the clothing way, I am certain they will in a great measure be neglected.

From this and all to the southward, every state has imported something, and by their industry had got their troops tolerably well clothed in the spring; and, with what the clothier-general assisted them to in common afterwards, they will make a tolerable appearance. I need say little to you of the northern troops; you must well know their advantages in getting clothing, and they made use of them. We have gone very early into the field, and have had no other dependence but on the clothier-general, and we got them in bits and scraps, as the miser gives his son some part of his patrimony before death. It was dealt out with so scanty a hand, we never knew the good of it; besides we never got our proper quantity, and some of what we did get was rotten. If our state would provide a complete suit at first, then the other supply might be sufficient. We are in great need at present of shoes, stockings, breeches, shirts, good jackets, and some caps, for the want of which many valuable men are rendered useless.

His excellency says that if you would now fill up the regiments he would ask no more militia. That pernicious practice of substitutes, either in the standing army or militia, must be put a stop to———————— to recruiting, and nothing will prevent it while the militia is required. I submit these few observations, to your excellency and both houses, and hope that a temporary supply may be sent as soon as possible; and am

Your Excellency's most obedient and humble servant,

WM. MAXWELL.

His excellency, the Governor of New Jersey.

From General Washington to General Forman.

Head-Quarters, Philadelphia County, Oct. 6, 1777.

Sir,—You having informed me that the times of many of your present brigade of militia are near expiring, and that many others who came out for no certain time, are anxious to return home, you have my permission to march them towards Delaware, under pretence that you are going to guard the stores at Trenton, and when they have crossed the river you may discharge them. But I must beg that you will immediately use your utmost endeavors to collect a number equal to what you were to have brought in your last brigade, and return with them as soon as possible to join the army under my command. I shall be glad if you will let me

know, upon your arrival in Jersey, when I may expect you again, and with what force.

I am, sir, your most ob't serv't

G° WASHINGTON.

General FORMAN.

From Elisha Boudinot to Governor Livingston.

Newark, Oct. 9th, 1777.

SIR,—I received your favor yesterday relative to the appointment with which your Excellency and the Committee of Safety have honored me. The inadequate salary would not have been the obstacle against my accepting the office, as, during the present distress of my country, I would freely devote my time to its service, and I should have immediately set out for Bordentown, on the reception of your letter, had I not previous to this received an office in the military department. I am in hopes, however, to get liberty to act as secretary for the short time you will sit, which I suppose will be no longer than the meeting of the Legislature. I shall be able to determine this on Monday, which if it is according to my wishes, I will set out on Tuesday. If it should be otherwise, must beg your Excellency and the Committee of Safety to accept of my thanks for the polite offer, and to be assured that it is with the greatest reluctance, if I am obliged to decline the appointment.

I have the honor to be your Excellency's most ob't and humb'e serv't.,

ELISHA BOUDINOT.

His Excellency, Gov'r LIVINGSTON.

From the President of the Continental Congress to the Assembly of New Jersey.

York Town, Pennsylvania, October 17th, 1777.

GENTLEMEN,—I have the honor to transmit a copy of the return to Congress from Gen. Washington of those articles of clothing that are absolutely necessary for the army under his immediate command, accompanied with an extract of the General's letter on the subject. From these letters you will perceive that the troops are in the greatest distress and likely to suffer still more from the inclemency of the approaching season, unless they are relieved in time. I am therefore in obedience to the inclosed order of Congress earnestly to request you will forward to head quarters, with all possible dispatch, all such articles mentioned in the return as you are able to collect, which are not immediately wanted for the regiments that have not yet joined the army. You will also be pleased to issue orders to the officers of the clothier's department who reside in your state, to exert themselves to forward the clothing agreeably to the inclosed requisition of Congress. I must also entreat your attention to the other resolves herewith transmitted.

I have the honor to be, gentlemen, your most obedient and very humble servant,

JOHN HANCOCK, Presid't.

Hon'ble Assembly of the State of New Jersey.

From William Paterson to Governor Livingston.

Morristown, October 18th, 1777.

DEAR SIR,—In the 13th section of the act constituting a Council of Safety, the President and Council are authorized at discretion to direct the trial of certain offenders in other counties than those in which the crimes were committed. The insurgents who were taken on their way to the enemy are now at this place, but the court cannot with propriety proceed to try them unless they be expressly directed for the purpose. I wish your Excellency would be pleased to write to the Chief Justice and enclose an order directing the court to try the said insurgents in this county. Lest your Excellency should not have their names, I send herewith a list. The Easton offenders I suppose will soon come on, and hope that you will send a similar order for them.

Jacob Bogart, John Sears, Joseph Pearce, Stout Havens, Wm. Newman, and Richard Morrison were, upon confession, committed for high treason by the Council of Safety. If there be any witnesses, I should be early informed of them. Mere confession, although sufficient to commit upon in high treason, is not sufficient to convict. Cornelius Clawson, James Worth, Benjamin Worth, and Jonathan Clawson were likewise committed by the Council of Safety, upon confession solely. The commitments against the last four include two charges: first, high treason; second, felony for going into the enemy's lines. Confession, perhaps, will operate in felony; and therefore it will be necessary

for some of the Council of Safety who were present at the confession to attend the court. By turning to the minutes you will be able to see what members were present. Mr. Parker informed me yesterday that he had not yet sent his letter to Mr. Skinner, and told me he imagined (and perhaps justly enough) that the commanding officer at Elizabethtown would not let it pass without an order from your Excellency. If proper, your Excellency can send the order to me, and I will forward it with the letter to General Dickinson.

The well affected at Newark are very uneasy about a certain Capt. Kennedy, who was laid under parole by the late Convention. The uneasiness increases, owing to the enemy's having a few days ago driven 70 or 80 head of fat cattle from his farm. He is on half pay in the British service. Would it not be proper to release the Capt. from his parole, and then call upon him to take a decisive part? I once moved something of this kind in Council, but it went off, as business of a more pressing nature happened to come in before it could be decided upon. I am convinced that the Council did a very imprudent action at Princeton in advising your Excellency to detach the men which should compose General Forman's brigade, for the Pennsylvania service, from particular regiments; it has broke in upon and marred extremely Gen. Dickinson's arrangements and plan. I submit it to your Excellency whether in future it will not be most advisable, when a requisition is made for men, for your Excellency to determine the number, and Gen. Dickinson to deter-

mine from what regiments and brigades that number shall be detached. If the orders were through Gen. Dickinson, so far as respects the mode, it will prevent confusion.

Glorious news ! glorious news ! General Burgoyne has surrendered himself and his whole army prisoners of war to Gen. Gates. I believe this intelligence may be depended upon, it comes quite direct. The bearer will inform your Excellency more particularly.

Enclosed are two letters for your Excellency, and a newspaper. One of the letters is from General Winds and being informed that it was on business of importance, I have dispatched the messenger sooner than I should have done. I believe our militia will not be wanted up the North River, if so, would it not be best to recall them ? At all events, it would not be improper to order Gen. Winds (unless he be already ordered by Gen. Dickinson) to return the instant the enemy sail down the river.

I am, with respect, your most ob't and hu. serv't,

WM. PATERSON.

His Excellency, Gov. LIVINGSTON.

From Jonathan Elmer to Governor Livingston.

York Town, November 20th, 1777.

SIR,—As my term of delegation expires in a few days and business of importance requires my attendance elsewhere, I propose leaving Congress to morrow. The state of New Jersey will then be unrepresented.

I thought it my duty to acquaint you with it, and to request the Assembly immediately to send forward one or more delegates from the state.

I have made it my business ever since I have had the honor of a seat in Congress, to attend as constantly as possible. Whether I have discharged the important trust reposed in me by my constituents to their satisfaction or not I must leave to them to judge. I can however with truth declare that I have at all times exerted myself to the utmost of my slender abilities for the good of my country and in particular for the state which I have had the honor of representing.

Congress hath at length completed the confederation. It is now printing, and will be sent forward in a few days for the consideration and approbation of our Legislature.

The distance of the public treasury of our state from my place of abode when at home, and my not having had an opportunity of waiting upon the Assembly when sitting, have prevented my receiving any money for public services through the Treasurer's hands. I received 300 dollars of Mr. Clark in July last, for which I gave him a receipt, and for which he engaged to account to the Assembly. Since that, I have drawn on the continental treasurer for 700 dollars, to be charged to the state of New Jersey, and for which I expect to account to the state.

The expense of attending Congress upon the most economical plan I have been able to draw, amounts to considerably more than 20 shillings a day. I rely on

the generosity of the assembly to make me such an additional allowance as they shall deem adequate. Observing to you, sir, that my expenses for the 7 weeks I have attended Congress in this place, for supporting myself and one horse, amounts to £65. The Delegates from every other state have from 5 to 8 dollars a day, and in general complain they cannot subsist on the pay allowed them by their respective states.

I have the honor to be, sir, your most obedient and very humble servant,

JONATHAN ELMER.

Hon'ble Speaker of Assembly, N. Jersey.

From the President of the Continental Congress to the Governor of New Jersey.

Yorktown, December 23d, 1777.

SIR,—I am directed by Congress to transmit to your honorable body the enclosed resolutions, which the pressing wants of the army, and the arts and avarice of engrossers and extortioners have rendered indispensably necessary to the general welfare.

It is with deep concern that Congress, after having for some time contemplated in painful silence the mischiefs which threaten this extended continent from the growing avarice of the times, feel themselves constrained to recommend measures, which the virtue of all classes of men rendered not long since unnecessary, and which a scrupulous regard for the security of property

to every citizen of these states has hitherto restrained them from adopting; but, (unhappy the case of America) laws unworthy the character of infant republics, are become necessary to supply the defect of public virtue, and to correct the views of some of her sons; and she is called upon by the grand principle of self-preservation to guard against the parricide of those whom she has fostered in her own bosom.

To minds, whose reflections are employed on the importance of the cause in which we are engaged, and which feel for every circumstance which may affect the honor and safety of these states, it must give the most painful sensations to consider, that at a time when the late signal successes we have been blest with, the reduced numbers of the enemy, the difficulties they meet with in procuring foreign levies, and the political complexion of affairs in Europe, have deprived them of many of those resources on which she has so much depended; when the numbers and improving discipline of the army, the prodigious augmentation of our military stores, the quantity of provisions with which this country abounds, and the large supplies of clothing which have of late been imported by private persons, afford not only the opportunity but the means under divine Providence of establishing our liberties by a few exertions,—this bright prospect should be clouded over, and this great and glorious event endangered by the languor of too many, and by the arts and avarice of designing individuals, who like the British nabobs of the East, are corrupting the manners of a whole nation,

and building vast fortunes on the destruction of the liberties of the Western World.

It is to be hoped, however, that the wise and spirited laws of the different states, aided by the influence and exertions of the real patriots, will apply effectual remedies to these evils; that the old and hardened offenders will be punished; that those in whose bosoms the sparks of public virtue are not yet extinguished, will be reclaimed; the languid roused from their present apathy, and that all classes of men will unite with their former spirit and virtue against an enemy whose progress is marked with every vestige of barbarity, and whose determined object is to establish a tyranny of the most dangerous and debasing nature over the inhabitants of a vast continent. Congress flatter themselves that the resolutions herewith transmitted, will lead to accomplish some of these valuable purposes; and they therefore esteem it their duty to recommend them to the serious consideration of your honorable House, and hope they will be carried into execution as expeditiously as possible.

By order of Congress,

JOHN HANCOCK, Pres't.

From the Board of War to the Governor.

War Office, May 25th, 1778.

The Board not having thought proper to agree with Col. John Patton for the carrying on the Andover Iron Works, have instructed Col. Flower to apply to the

government of your state and procure the possession of the Works for Col. Thomas Maybury, with whom the terms of the contract are settled, on condition of his getting the possession agreeably to the resolution of Congress. As we find it absolutely necessary to put these works in blast, the Board beg the favor of your Excellency to assist Col. Flower or Col. Maybury in the business; they will necessarily have to have such, relative to these works with the government of your state.

I have the honor to be, with great esteem, your very obed't serv't,

By order of the Board,

RICHARD PETERS.

His Excellency, Gov. Livingston.

From Colonel Flower to Governor Livingston.

Lebanon, May 28, 1778.

Sir,—Your Excellency will see by the honorable Board of War and Ordnance, that they have not thought proper to agree with Col. Patton for the carrying on the Andover Iron Works, and have directed me to apply to the government of your state and procure the possession of the Works, to wit: the furnace and forges for Col. Thomas Maybury, with whom I have made a contract, for the iron to be made at the said Works, to be converted into steel, agreeably to the resolution of the Honorable Congress of the 15th January last;—since Col. Patton could not get possession of

these works, with the consent of the owners, two of them being with the enemy in Philadelphia; and Mr. Chew whom Mr. Whitehead Humphreys and myself waited on, who is another owner, refused to have anything to do with it, as he was only a part owner, but advised me to send in a flag to Philadelphia, in order to treat with Messrs. Allen and Turner on the terms of the lease, agreeably to the resolution of the Honorable House of Assembly of your state on the 13th March last; which advice of Mr. Chew I considered as an insult, as he knew such a step was impracticable.

I, therefore, in behalf of the United States of North America, beg leave to solicit your Excellency's assistance in these premises, in order to have Col. Maybury put in possession of the Andover Works as soon as possible; as your Honors were pleased to assure us, that if the present owners of the works refused to let them for the use of the public, the Legislature would then take the necessary steps for putting them in possession of a proper person in order to have them carried on for the purpose before-mentioned.

I hope the Legislature will approve of Col. Maybury, and give him such assistance as will enable him to perform his contract, and that your Excellency will use your influence to accomplish this very essential and important business.

I have the honor to be your Excellency's most obedient obliged, very humble servant,

BENJ. FLOWER, Col'l Adj. C. G. M.

His Excellency, Gov. LIVINGSTON.

From the President of the Continental Congress to Governor Livingston.

York-Town, June 17, 1778.

Sir,—Authentic intelligence received by Congress from many quarters, leave it no longer doubtful in what manner the enemy mean to conduct their plan of conciliation.

Under delusive appearances of pacific acts and peace-making commissioners, already their military reinforcements begin to arrive, and already they have commenced the campaign in many places with acts of cruelty and devastation.

Indian irruptions, and burning houses in the moment of dispersing propositions for peace, evince the insidious designs of the enemy, and demonstrate the necessity of wisdom in council, of strength and vigor in the field. The former may be employed to distress the enemy greatly, by withholding from them the provisions of America, and the latter by quickly collecting powerful armies to take advantage of their present weaknsss.

In duty therefore to their constituents, Congress earnestly call upon you, sir, and your state, to adopt the most effectual and vigorous measures for speedily reinforcing the continental army with your quota of troops. The present moment unimproved, may be productive of most pernicious consequences, and the public safety demands strong and united efforts.

Experience hath shewn that the marine force of our enemies enable them to secure for the support of their

armies, almost the whole of our exported provisions, and therefore, Congress, impressed with the necessity of preventing the supplies derived to our foes from this source and desirous of supplying the armies of the United States, have upon mature deliberation, laid an embargo upon provisions of all kinds, and they earnestly request the vigorous exercise of the powers of your state to carry into effective execution this most necessary measure.

I am, with great respect, sir, your excellency's most obedient servant,

JOHN HANCOCK, Pres't.

His Excellency, Gov. LIVINGSTON.

From General Winds to the Legislature.

Head Quarters, Elizabethtown, June 16th, 1778.

GENTLEMEN,—The anxiety I feel for want of ammunition to supply the militia, should any quantity be wanted on a sudden emergency, may be much easier conceived than described. Permit me to call your attention to my situation for a few hours. I flatter myself your time will not be misspent. Here I am on very extensive lines with a small body of men, who (although in the highest spirits) cannot be furnished with six rounds of ammunition, while the enemy are in great strength on Staten Island. And it is not improbable, should the British army attempt a passage through New Jersey, from Philadelphia to New York, that our neighbors on the Island may make a diversion

this way, but should not this be the case, liable as we are at all times to invasions, when the enemy are in strength, and while our frontiers produce any thing which to them is an object worth attempting, what consideration ought to induce us to remain unprepared to receive them ?

I have the fullest confidence in the bravery of the New Jersey militia, and besides other weighty reasons for my repeated applications on this subject, the fear of sacrificing our reputation is not among the smallest. Permit me to add that with militia it is impossible to keep secret the state of our magazines, and it is not improbable that very soon, or perhaps even now, the enemy know our situation, and in case of an invasion, or the passage of the British army through this state, I am persuaded the militia will turn out cheerfully, and in large numbers. But I cannot flatter myself in the least with the prospect of their doing any thing material without ammunition. I rather think that numbers without so necessary an article will only be disadvantageous. Not in the least doubting, if I could but engage your attention to so serious an object you would grant me speedy relief, and relying on your answer by the return of the bearer, I subscribe myself

Most respectfully, your most obe't ser't,

WILLIAM WINDS.

P. S. Lead most wanted.

The Hon. the Council and Gen'l Assembly of the State of New Jersey.

From Nathaniel Scudder to the Speaker of Assembly.

Freehold, July 13th, 1778.

My Dear Sir,—I do myself the honor to address you upon an affair to me of the most serious and alarming importance. The honorable Council and Assembly of this state have not thought proper to invest their delegates with power to ratify and sign the confederation, and it is obvious that unless every of the thirteen states shall accede to it we remain an unconfederated people. These states have actually entered into a treaty with the court of Versailles as a confederated people, and Monsieur Girard, their Ambassador Plenipotentiary to Congress is now on our coast with a powerful fleet of ships, which have taken a pilot on board for Delaware. He probably may be landed by this time, and will at all events be in Philadelphia in a few days. How must he be astonished and confounded, and what may be the fatal consequences to America when he discovers (which he will immediately do,) that we are ipso facto unconfederated, and consequently what our enemies have called us, "a rope of sand."

Will he not have just cause to resent the deception? and may not insidious Britain, knowing the same, take advantage of your disunion? for my own part I am of opinion she will never desist from her nefarious designs, nor ever consider her attempts upon our liberties fruitless and vain, until she knows the golden knot is actually tied. I left Congress last Wednesday evening. The affair of confederation was to be taken up

next day. The magna charta of America was amply engrossed and prepared for signing. Ten states had actually authorized their delegates to ratify: a delegate from an eleventh (viz. Georgia) declared he was so fully possessed of the sense of his constituents, that he should not hesitate to subscribe it. New Jersey and Maryland only stood it out. Mr. Chase, one of the delegates from that state, told me the day I left Philadelphia, that he imagined the determination of Maryland would depend much upon that of New Jersey, and thought if our state should accede, theirs would also. He therefore concluded to go immediately down and try what could be done. I at the same time assured him I would write you on the subject on my return.

I ought to inform you, sir, that the objections stated by New Jersey were read and considered in Congress, and after being entered at large on their minutes, a question was taken whether Congress at that time judged it expedient to take up the said objections so as to admit any emendations in the plan of confederation or not? and it passed in the negative. In consequence of which they remain both upon the journal and files to be taken up and considered at any future time when they may be called for. I expect my colleagues will soon address you on this subject. I left Doct. Witherspoon, Doct. Elmer and Mr. Boudinot at Philadelphia, whither I expect to return in a few days. I should have been much more uneasy when I was last at Princeton, and should have taken more pains to convince the members of the necessity of granting the

powers of ratification to their delegates, had I not been encouraged to expect that the Legislature would not rise without doing it; at the same time supposing the reason why they withheld at that juncture to be, that their objections might have the greater weight with Congress. Indeed I all along expected Doct. Witherspoon would have brought on such powers with him, especially as I hoped the honorable houses would be clearly of opinion that it were better to confederate under all the disadvantages they apprehended, than that the general union should be broken or even greatly endangered.

I know not whether I ought to say anything respecting the objections themselves: some of them are perhaps not very essential. The obtaining an admission of several of them would doubtless be of great local advantage to this state; but every state must expect to be subjected to considerable local disadvantages in a general confederation. Indeed upon the whole I am fully of opinion that no plan can or will ever be adopted more equal or less generally injurious to the confederated states than the present. I also declare it as my opinion that, if the general business of emendation were to be fairly taken up in Congress to-morrow, several alterations would be made exceedingly disadvantageous to the smaller circumscribed states, and which perhaps might more than counterbalance the obtaining what we apply for. As to the grand and capital objection respecting the lands, &c., I will only observe that in case we never obtain an original quota of them, we

shall only lose a share in the prime sale of them, which will probably be very low, while we shall inevitably reap a permanent and increasing benefit from the rapid and enormous growth of the larger states; for surely in proportion to their extent and population, their quota of the public expense and debt will be increased, while ours will be proportionably diminished. What avails it therefore to us, whether five pounds of our national debt be paid by the accession of a subject to this state, or whether our quota be really lessened five pounds by the settlement of a person in the state of Virginia at the distance of a thousand miles from the Atlantic? for my own part, I think we shall have greatly the advantage of these enormous, unwieldly governments; nor do I judge it unlikely they will soon find it necessary to sue for the curtailing their extravagant jurisdiction.

In the settlement of our soldiery, and the foreign deserters at the expiration of the war, we shall incur considerable disadvantage; however, as the larger states will doubtless reioice to have their frontiers immediately enlarged, and will vie with each other in courting so great an accession of inhabitants, there will probably be no greater expense than barely that of locating the lands, our quota of which cannot be any very considerable sum.

I congratulate you on the signal success of our arms in this neighborhood on the 28th of June. Great plunder and devastation have been committed among my friends in this quarter, but through the distinguish-

ing goodness of Providence, my family and property escaped, and that almost in a miraculous manner.

I wish you to take the above representation into your serious consideration, and if with me you shall judge it a matter of sufficient importance, that the Legislature may be as speedily as possible convened to deliberate and determine thereon.

I am, dear Sir, with great esteem, yonr most obed't h'ble servant,

NATH. SCUDDER.

Hon'ble John Hart, Esq.

Quarter-Master-General Pettit to General Washington.

Camp White Plains, Sept. 10, 1778.

SIR,—The scarcity of Forage, and the reluctance with which the farmers part with what they have to spare, has for some time past filled me with more alarming apprehensions than I have felt on account of any other branch of the Quarter-Master's Department. The necessary consumption of forage, not only in and about the army, but from the numerous teams employed in this inland transportation of provisions and stores, has so far exhausted the resources of former crops, that every farmer in the middle states discerns that the demand for grain is equal if not more than equal to all that can possibly be furnished, and of course that the purchasers, whether for public or private use, must of necessity pay whatever price shall be insisted on. The discretion of each individual is therefore the only boun-

dary to the price demanded. Hence we find it impossible without the interposition of legislative authority, to adhere steadily to any fixed price, and at the same time obtain the necessary supplies. For, although many of the better disposed among the farmers would be willing to sell their forage at the present current prices, if they were not apprehensive their more avaricious neighbors would obtain a higher price for theirs; yet while they see prices constantly rising, and unbounded, they are unwilling to preclude themselves from the advantages which experience has taught them may be obtained by withholding their commodities from the present market. This increases the avidity of the demand, and of course obliges the purchaser to submit to the terms imposed by the seller.

The enormous increase of the public expenditures, though perhaps the greatest, is but one of the evils which must attend the permitting the prices of grain to continue rising without any other limitation than the capricious discretion of the sellers of it. The mischief is increased both in size and velocity by every step it advances, and must, if permitted to continue, produce the most disastrous consequences. On the other hand, if the legislatures of the respective states will give us their aid by fixing a table of prices between individuals and the public, and establishing a legal mode as well for the obtaining at such prices what each individual can spare, as for ascertaining the quantity which may be taken in case of dispute, —I imagine the quantity of grain in the country will be found more adequate to the demand than present ap-

pearances indicate. From the scarcity, whether real or artificial, which we now feel, and have for some time past experienced in the states northward of the Chesapeake Bay, we have been under a necessity of drawing considerable quantities of grain from Virginia, Maryland and Delaware; the transportation of which not only enhances the price, but by employing more teams in the public service increases the consumption. If, therefore, the inhabitants of the state more contiguous to the army, could be induced to deliver in a short time what they can with propriety spare, it would not only enable us to form our magazines in due season, but might authorize us to relax our demand in the distant places from whence supplies are transported at so great an expense.

I take the liberty of troubling your Excellency with these acts and observations, together with a letter from Colonel Biddle, C. G. F., which is enclosed herewith, confident that a representation of the matter from your excellency to the legislatures of the respective states, either immediately or through Congress, will be the most likely way to have the business speedily attended to, and to procure it that dispatch which its importance demands.

I have the honor to be, with the greatest respect, your excellency's most obedient and most humble servant,

CHA. PETTIT, A. Q. M. G.

His Excellency, Gen. WASHINGTON.

Col. Biddle to General Pettit, enclosed in the foregoing.

Camp White Plains, Sept. 6, 1777.

DEAR SIR,—The consumption of forage is so great, and the distance it is brought subjects to so many delays and disappointments that I wish to fall on every method that will be most likely to answer a certain and regular supply. At this time we draw considerable quantities of corn and oats from Virginia and Maryland, by the way of the head of Elk, to Trenton, and thence by land to this camp. The same from the Delaware state; —and these supplies must be continued as long as the season will permit, the middle states being much drained. However, I think much more might be drawn from Pennsylvania, Jersey, New York, and Connecticut, if the legislatures of those states would take effectual measures to bring out their hay and grain for the use of the army, and we shall have occasion for all that can possibly be spared from each of these states, to subsist our horses. At present, New Jersey cannot furnish a sufficiency to forage the great number of teams passing through there;—although the gentleman in that state has as much interest and industry as any one in it, he complains of the great prices demanded;—the same complaint from my agents in Pennsylvania, New York and Connecticut, and all agree that from various causes the forage is not brought to market.

The absence of the militia in service in some places has been one cause of their not threshing, and in many, the expectation of a rising price induces them to keep it back. Some measures are necessary to bring them

to thresh and deliver all that can be spared for the use of the army. The limiting a generous price, beyond which they would not have an expectation of a rise, would have a good effect; and they should deliver it at the season in which it is most wanted, viz; during the fall, winter, and spring. Therefore, I would propose, that his Excellency Gen. Washington, should be informed of this, and be requested to write to the different legislatures to take the most effectual measures to assist my agents in the different districts in the collection of forage by limiting the prices and enforcing a delivery of the hay and grain that can be spared at stated periods, also in furnishing carriages, to haul the same in their respective states, to such places as it may be wanted in. If the prices should be limited from Pennsylvania to Connecticut inclusive, it may be necessary to make an application to the legislatures of Delaware, Maryland and Virginia, on the same occasion, as the conveniency of water carriage from, and the great abundance of corn and oats in, those states, as well as the insufficiency of grain in others, will make it necessary to draw regularly from them.

The proposition you made of a number of ox-teams, would be a great relief if they could be procured, as the oxen could be subsisted on grass, and a very little hay; in the winter a small quantity of grain would be necessary. I submit this to you; lay such part of it as you may think necessary to lay before the general.

And am, dear Sir, your most obedient serv't,

CLEMENT BIDDLE, C. G. F.

P. S. There is so little grain threshed in this and the adjoining states, and our present situation requiring immediate supplies, there is no time to be lost in adopting some method to get the farmers to work.

To Col. CHARLES PETTIT, A. Q. M. Gen'l.

From Governor Livingston to the Legislature.

Princeton, September 29th, 1778.

GENTLEMEN,—I herewith lay before your honorable House copies of two letters from Col. Biddle and Charles Pettit, Esqrs., upon the subject of forage, together with a letter from his Excellency, General Washington to me, accompanying these letters, and declaring his perfect conviction that the Legislature of this state will be forward to adopt every expedient that may seem calculated to afford the smallest relief in this interesting and essential point. The subject, gentlemen, is of such importance that I doubt not you will give it your serious attention, and manifest the same zeal in the common cause for which this state has hitherto rendered itself remarkably conspicuous.

WIL. LIVINGSTON.

Jonathan Elmer to the Legislature.

Philadelphia, September 17th, 1778.

GENTLEMEN,—Sensible of the important trust reposed in me, and the honor conferred, in appointing me one of your delegates in Congress for two years past, I

esteem it my duty to embrace this opportunity of making my sincere acknowledgements.

A willingness to comply with your requisition, and an earnest desire to serve my country, as far as my slender abilities would enable me, were the sole motives that induced me to accept of the appointment. How far I have answered your expectations in executing the trust, I willingly submit to your candor to determine. Permit me, however, to assure you that the public interest and the good of my country, particularly of the state which I have had the honor of representing, have constantly been the objects of my attention. I hope the integrity of my conduct, at least, will meet your approbation.

As the circumstances of my family and private affairs, render it impracticable for me to attend Congress any longer, I take this opportunity of acquainting the hon'l Council and Assembly therewith, and of soliciting leave to resign.

I have the honor to be gentlemen, your most ob't and hum. s't, JONATHAN ELMER.

Hon'l Council and Assembly.

From Colonel Holme to Governor Livingston.

Cumberland, November 2d, 1778.

DEAR SIR,—Inclosed I send you my commission as Col. of the second regiment of foot militia in the county of Salem, which I resign for the following reasons. First place, I have removed from Salem county to Cumberland, and settled myself there, which makes it very

inconvenient for me to attend the battalion. Secondly, I shall expect that the battalion will not be reconciled to have their commander an inhabitant of another county. Therefore would beg your Honor and the Joint Meeting to accept my resignation, and your compliance will oblige

Your humble serv't

BENJ. HOLME.

His Excellency, Governor LIVINGSTON, or the Governor for the time being of New Jersey.

From a Committee of Congress to Governor Livingston.

Philadelphia, November 11th, 1778.

SIR,—The great and increasing difficulties in the Quarter Master and Commissary General's Departments have induced Congress to adopt the resolution of which we have the honor to transmit you a copy. Among the measures immediately necessary for placing these matters on a proper foundation, is the acquiring a knowledge of the proper resources of these states. The articles of consumption which we would most particularly be informed of, are flour, wheat, rye, barley, oats, corn and rice, beef, pork, working oxen and horses, cider and vinegar. The ignorance and the interests of mankind oppose so strongly our wishes in this respect, that after every effort and every prudent precaution, our information will perhaps be of far less importance than could be wished. It is however our duty to aim at it, and we have no reason to doubt your Excellency's concurrence in the steps necessary to attain what we have in view. Especially when it is considered how

readily your own good sense will dictate the impracticability of continuing the war, at least of continuing it to advantage, while we remain supremely ignorant of the supplies our country is capable of affording. We have to intreat that your Excellency, from your knowledge of the productions of the several parts of your state, would appoint some proper persons in whose industry and secrecy you can confide, to make proper lists through the districts you shall severally allot to them, of the quantity and number of such of the articles above named as are produced in it, which may probably be over and above the necessary consumption of the inhabitants, and also as nearly as possible the quantity, &c., which they consume over and above their own productions, or of what they do not produce. We hope that these lists may be transmitted to us with all convenient speed, to the end that proper arrangements may immediately be made for the ensuing campaign. Upon transmitting an account of the expenses which may accrue in this business, they shall immediately be paid. You will perceive, sir, that every precaution should be taken to prevent this object from transpiring, lest as on many former occasions the devoted adherents of ———— should make a gain of the public distresses.

We are, respectfully, your Excellency's ob't and h'ble servants,

NATH. SCUDDER,
GOUV. MORRIS,
WM. WHIPPLE.

Governor of New Jersey.

From a Committee of Congress to Governor Livingston.

Philadelphia, November 11th, 1778.

Sir,—The dangerous practices of engrossers have increased so rapidly with the public distresses, and have so accumulated them, that every friend to this country or even to humanity, cannot but wish to see some remedy to an evil which threatens the existence not only of the several states, but of the poorer part of the individuals which compose them. We are fully sensible that this disease should be touched with a cautious and with a delicate hand, but at the same time we confide in the wisdom of your Legislature for this delicacy and caution. We do not pretend to mark out the means which they should adopt, but the confidence reposed in us by Congress demands that we should at least hint what in our idea may conduce to this valuable purpose. The articles necessary for the consumption of the army are easily designated. And we trust there will not be much difficulty in distinguishing between the dealer in, or manufacturer, of those articles and the engrosser, or, as he would call himself, the speculator. These two objects being accomplished, it surely cannot be deemed inconsistent either with policy or justice that he should be obliged to part with them to the public. The process necessary for this purpose must depend on the civil institutions which may have been respectively adopted, but it should be as short and as simple as is consistent with the constitution of the state. One thing more is necessary to complete the system, namely the price, if

this is such as to leave the speculator his profit, nothing more is operated by the law than merely to sanctify his unrighteous gains. If the price be fixed by law, the efforts now making to render our money valuable, (and which we doubt not your Legislature will assist by heavy taxes,) will only tend to realize what he hath already accumulated. Perhaps a power lodged somewhere to fix the market price monthly, by the name of assize, and a deduction from it of about twenty per cent. on commodities in the hands of engrossers, would be most effectual. This, however, and every thing else we have mentioned, is submitted to your wiser consideration.

We have the honor to be your Excellency's most ob't and h'ble servants,

NATH. SCUDDER,
GOUV. MORRIS,
WM. WHIPPLE.

Governor of New Jersey.

From a Committee of Congress to Governor Livingston.

Philadelphia, November 11th, 1778.

SIR,—Permit us to call your attention for a moment to the detection and punishment of a crime against the public. Persons in office under the continent have as we are informed, used the monies entrusted to them in the engrossing of articles upon the public. This seething of the kid in its mother's milk calls for the most exemplary punishment. We pray that you will urge

the Legislature of your state to pass laws for the prosecution and punishment of offenders of this kind in future, and that in the interim your Excellency will cause any who may in your state be guilty of the like crimes to be secured for trial in safe and close custody.

We are, respectfully, your Excellency's most ob't and humble servants,

NATH. SCUDDER,
GOUV. MORRIS,
WM. WHIPPLE.

P. Scull, Secretary of the Board of War, to Governor Livingston.

War Office, December 2d, 1778.

Sir,—Your Excellency's letter of the 25th ultimo to Congress has been referred to this board; and they now direct me to inform you that it must have been occasioned by mistake or inattention in the affairs, that your troops were not furnished with an equal quantity of clothing with the rest of the army. A greater proportion of coats, vests and breeches than will supply the whole army has been forwarded to Springfield, in Massachusetts; and the troops from your state could have drawn those articles, and were entitled to at least a dividend of such as proved deficient. His Excellency, General Washington, has informed the board that he will give directions about the delivery of clothing; and if the commanding officer in Jersey will make out the

necessary returns, there is no doubt but they will be complied with on application to head quarters.

I have the honor to be, with the greatest respect your Excellency's most obed't ser't,

P. SCULL, Secy'.

His Excellency, Gov'r LIVINGSTON.

From Chief Justice Symmes to Governor Livingston.

Morristown, January 7, 1779.

SIR,—I beg leave to lay before your Excellency, and the honorable gentlemen of the Council, the business of the state that came before me in the late Circuit, in the counties of Hunterdon and Cumberland, which was capital; recommending to the clemency and grace of your honor those miserable subjects who are under sentence of death.

In the county of Gloucester there is Jonathan Chew condemned for high treason; he was convicted by jury. I take it that he was disaffected from the beginning of the troubles, and joined the enemy at their coming to Billingsport, and acted as a captain among them. The charges laid against him in the indictment of levying war and adhering to the enemies of the state was well supported, and I cannot think there is any equitable circumstance in his favor, either as matter of law or fact. But the following considerations may perhaps plead for him with your honors for a pardon.

1. He is a very weak man in his understanding.
2. He has a family of twelve children, that must be

objects of charity if their friend is taken away, and they have no property left.

3. It appeared in the Court that he was humane, and inclined to distress the inhabitants that were in his power as little as possible, in person or property.

4. He left the enemy after they had retreated through Jersey, and came home and threw himself in the way of justice.

Harrison Wells, who traversed his indictment for levying war against the states, and adhering to its enemies, and convicted thereon. I believe that Mr. Wells was a Whig at the beginning; he was in the militia and behaved well. But I cannot say there was any equitable circumstance appeared (touching law or fact) on his trial that can operate in his favor; but perhaps the following considerations may incline your honors to pardon him:

1. He was undoubtedly over-persuaded by Mr. John Hinchman, who had been his guardian, to go and join the enemy, which at length he did with some reluctance, being partly in compliance to Mr. Hinchman's advice, and partly because he was threatened by the militia.

2. When with the enemy he was offered a Lieutenant's Commission, which he refused.

3. It appeared that he early wished to make his peace with his country by desiring to surrender himself, but found the popular clamor so much against him that he dare not do it; and his house was contiguous to the enemy.

4. When the enemy left Philadelphia, he surrendered

himself at Haddonfield, to the law, refusing to march with the enemy. He appears very penitent.

Besides Chew and Wells, there are fifteen others condemned for high treason against the state; viz: William Hammet, John Dilks, John Franklin, James Birch, Joseph Pratt, Joseph Dill, Abraham Fennimore, Joshua Dilks, Christopher String, Daniel Fussman, Lawrence Cox, David Lloyd, Thomas Nightingale, Paterson Cook, and Isaac Lord; who, after having proper time allowed them to consider of a plea, severally pleaded guilty to their indictments, which has prevented the Court from having their causes investigated before them; and I must own that as to by far the greater part of them, I know nothing of the nature of their guilt, or what favorable circumstances there may be in their cases, only as they were charged in their indictments and pleaded guilty; but as to William Hammet, I believe there is as little to be said in his favor as to any of them. I should be exceeding happy, were your honors of opinion there was no occasion of farther examples in cases of high treason; that our laws and government were sufficiently established, and that nothing remained but to forgive. But as I think these things matters of some doubt, I hope your honors will not receive it ill of me if I proceed to say, that were the question put to me, Who shall die? I should be inclined to say, William Hammet. My reasons are, First. because he was formerly apprehended and sent to your Excellency and the Council of Safety, charged with similar offences against his country, and notwithstand-

ing the Honorable Council of Safety were pleased to suffer him to return home, he went immediately and joined the enemy. Secondly, he was a daring offender while with the enemy, and may be so again. Thirdly, he was taken while in the service of the enemy, and has at no time since, (if I am rightly instructed,) expressed himself a friend to the state, as most of the others have; but he has frequently wished to be sent to the enemy again; and I think the probability is against him that he joins them if discharged. Fourthly, he has no family that must suffer by his death, as many of the others have; and in making up my mind on this subject, I think I am warranted in some measure by the opinion of Judge Blackstone, where he speaks of the necessity of human punishments.

There is also one * * * * * * convicted in Gloucester county for burglary and robbery. I believe he thought the person whom he robbed, a *tory*, and that by the custom of the times, conceived he had a perfect right to plunder him. He appears very penitent, and has been a brave soldier in the American army. In the county of Cumberland there is one capital conviction, and that is * * * * * * *. for an highway robbery. He was convicted by jury. There is an appearance of equity in this man's case. The party robbed, who was the principal witness against him, was proved to be a tory, and a person of very ill fame; but I must own I am inclined to think the man was actually robbed. The Court have, however, thought proper to recommend him for pardon, as your honors will see by the petition in his favor.

I have the honor to inclose to your Excellency and the gentlemen of the Council, all the papers relative to the prisoners that have fallen into my hands. I hope they will not prove altogether useless. I was not present at Salem when any capital case came before the Court. I hope his honor the Chief Justice will point out to your honors those matters in which I am deficient, as he presided at Gloucester, during the trials of Chew and Wells, and was alone at Salem when the capital trials came on there.

I have the honor to be, honorable gentlemen, with great esteem, your humble servant,

JOHN CLEVES SYMMES.

His Excellency, the GOVERNOR.

From Colonel Biddle to Governor Livingston

Princeton, January 14, 1779.

SIR,—In my letter of the 1st inst., I had the honor to inclose you a resolve of Congress, of the 30th November, relative to the Forage Department; a copy of which I now send to you.

The scarcity of forage is very great, and to lessen the consumption we have sent upwards of 2000 horses from the army into Pennsylvania, and shall retain no more than are actually necessary within the camp. I have given orders to forward a considerable quantity of grain from the westward and southward by water to Trenton as soon as the Delaware opens, and I have

good information that I may depend upon considerable supplies by that channel.

But such is our present situation, that we must rely chiefly on this state to subsist our horses until the opening of the river, and it is with the greatest difficulty we can keep them alive.

I have therefore to request that your Excellency in council, will please to give your aid and advice for drawing forth all the forage that can be spared from every part of this state; and I beg leave to suggest that a recommendation to the magistrates to carry into execution in their several districts, the law for impressing forage would have a very good effect. But I submit to your wisdom to give such relief as to you may appear most likely to answer the end.

I have the honor to be, with the greatest respect, your Excellency's most obedient and very humble servant,

CLEMENT BIDDLE.

His Excellency, Gov. Livingston.

From a Committee of Congress on the Comm'y and Q. M. Department to Governor Livingston.

Philadelphia, January 19, 1779.

Sir,—We did ourselves the honor to write to your Excellency the 11th of November last on the subject of engrossing. Permit us to call your attention once more to that subject. The evils feared, when that letter was written, now rapidly approach, and the letter from

the commissary-general, of which we enclose a copy, gives us the most alarming apprehensions. The wisdom of the state you preside over and your own exertions will not, we are confident, be wanting to prevent the mischiefs arising from that insatiable thirst of gain which knows neither principle or bound.

We will not insult your good sense by dwelling upon this painful topic. Your knowledge of the cause, and prudential foresight of the effects will doubtless stimulate you to every measure which you shall deem necessary for the public service.

GOUV. MORRIS,
WM. WHIPPLE.

Governor of New Jersey.

From John Fell to Governor Livingston.

Philadelphia, March 25, 1779.

DEAR SIR,—I cannot help complaining to your Excellency of the behavior of some of the delegates from our state, which is not only disgraceful to the state, but in my humble opinion, treating me with the greatest impoliteness; they take upon them to leave Congress when they please and without leave, by which the state in course is not represented. Last Saturday Dr. Witherspoon went home without ever saying one word to me on the occasion, and this day Colonel Frelinghuysen went away in the same manner.

No man has the service of his country more at heart than I have; but then I should choose to be treated in

such manner as I think I have a right to as a gentlemen. And I am certain such treatment from my colleagues cannot be deemed in that line. Therefore I request it as a favor, that I may not be treated in like manner in future ; to make my stay here so exceedingly disagreeable.

I received a letter this week from hon'l Mr. Scudder, dated 13th inst., he wrote me he expected to be here in about six weeks from that date. When Dr. Scudder comes I hope your Excellency will have no objection to my paying a visit to my family for a short time. As I have engaged to serve the state for the time of my appointment I undoubtedly shall do it, to the best of my power and ability. However, I hope the honorable Assembly will pay some regard to the increase of pay for my service, as every kind of expense has advanced in this city upwards of 50 per cent. since my appointment. It is with great reluctance I am under the disagreeable necessity to mention a circumstance of this kind, but my private fortune has suffered so much from the great losses I have met with, as well as my long, cruel captivity, that I shall not be able to support the extraordinary expense long. I am certain there is no member in Congress does more duty than I do. Every morning at the commercial committee, afterwards at Congress, and three stated nights in a week at the marine committee, besides occasional committees ; in short, there has been very few nights this winter that I have not been engaged in business. And not to be able to live in the manner I have ever been used to,

without spending my own money as well as time, is rather too unreasonable for the public to desire of any individual.

I was exceedingly happy to hear you were from home when the enemy came to pay you a visit; as I am certain you are not one of those gentlemen who they have the greatest regard for. I should imagine Princeton or Trenton would be a much more eligible place for your residence than Elizabethtown. Your being taken, besides the many disagreeable circumstances of being a prisoner, would be of the utmost bad consequence, as I know of no person in our possession that you could be exchanged for;—however the subject is too melancholy to dwell on.

I have the honor to be, with great respect, your Excellency's most humble servant,

JOHN FELL.

His Excellency, Gov. LIVINGSTON.

Memorial of the Officers of the Jersey Brigade to the Legislature.

To the Honorable the Legislative Council and General Assembly of the state of New Jersey.

It is with great reluctance that the officers of the Jersey brigade undertake to address you.

They had reason to expect that you would (from principles of justice as well as necessity) before this time have taken such measures as would have rendered it unnecessary, but the circumstances of your troops

have become such that it would now be criminal to be silent. The Legislature need not be informed that our pay is now only *nominal*, not *real*, that four months' pay of a private will not procure his wretched wife and children a single bushel of wheat. The situation of your officers is worse. The pay of a Colonel of your regiments will not purchase the oats for his horse, nor will his whole day's pay procure him a single dinner. A common laborer or an express rider receives four times as much as he. It would be superfluous for us to point out all our grievances, they are many, they are great, they are known to you. It is therefore a duty we owe our country, a duty we owe ourselves, to inform you in the most plain and unambiguous terms, that unless a speedy and ample remedy be provided, the total dissolution of your troops is inevitable. The spirit of desertion has already taken place, and has risen to the most alarming height. Combinations of large parties to desert are almost every day discovered, and the utmost vigilance of the officers is not able to prevent it.

The soldiers estimate the money truly, by what it will purchase. They have frequently been heard to say "that it was true British pay was very small, but notwithstanding, two days' pay would purchase a quart of rum, and with us a month's pay would not more than do it.

In the year 1776 the pay of the officers and soldiers afforded no more than a scanty subsistence. Since that period the currency has depreciated in most articles

of life more than two thousand per cent. Are we then to risk our lives in the field of battle, to submit to all the inconveniences of a camp life, to be deprived of the sweets of domestic happiness, and subsist upon one twentieth part of a sufficiency?

Congress, seeing the enormous rise of the necessaries of life, so long ago as December, 1777, recommended to the several states to provide all necessary clothing for their officers and soldiers at prices proportioned to their pay. We had examples of the states both of the southward and eastward complying with this resolution, and in many instances exceeding it.

That your troops are less brave, or have done less duty than any troops in the union, is a position that none have been hardy enough to advance, and why they should be so long neglected is a problem in politics hard to be explained.

Pennsylvania has lately passed some resolves in favor of her troops. Maryland has adopted the same;—some other states have done more, but none of them have done enough.

The families of officers and soldiers should some way be provided for. If our pay was in Spanish milled dollars (and that was the contract between Congress and us) we could provide for them; we therefore neither ask nor wish for more than a compliance with the original contract.

Pay us in Spanish milled dollars or give us an equivalent, and our complaints shall instantly cease.

Elizabethtown, April 17th, 1779.

1st Regiment.

W. Ogden, Col.
Davd. Brearley, Lt. Col.
Danl. Piatt, Major.
Jona. Forman, Capt.
Giles Mead, Capt.
Alex. Mitchel, Capt.
P. V. Voorhies, Capt.
John Holmes, Capt.
Aaron Ogden, Capt.
A. Wm. Pratt, Lt.
Cyrus DeHart, Lieut.
Jno. Howell, Lieut.
Wm. Barton, Lt.
Ab. Martin, Lt.
Ephm. Whitlock, Lieut.
C. Lott, Lt.
Jonathan Snowden, Lt.
Absalom Bonham, Lt.
Silas ————, Lt.
Jno. Bishop, Ens'n.
Wm. M. Barnet, Surg.

2d Regiment.

Wm. DeHart, Lt. Col.
R. Howell, Major.
Jno. Hollingshead, Capt.
Jno. N. Cummings, Capt.
Sam. Reading, Capt.
Jonth. Phillips, Capt.
Saml. Henry, Capt.
Nathl. Bowman, Capt.
Wm. Helms, Capt.
Sam. ————.
Abm. Appleton, Lieut.
Saml. Shute, Lt.
Ben. Osmun, Lt.

3d Regiment.

Elias Dayton, Col.
F. Barber, Lt. Col.
John Conway, Major.
Jno. Ross, Capt.
W. Gifford, Capt.
Jer. Ballard, Capt.
Jos. T. Anderson, Capt.
Seth Johnson, Capt.
Jonathan Dayton, Lt.
Nathl. Leonard, Lt.
Edmund D. Thomas, Jun.
Eph. Darby, Lt.
Sam. L. Shippard, Lt.
John Reed, Lt.
Jno. ————.

From General Maxwell to the Legislature.

Elizabethtown, April 25th, 1779.

Gentlemen,—I have written or waited on you at every time of your sitting for two years past, or permitted officers to wait on you as a close attention to

my duty would permit me, with a design to draw your attention to the distresses of the officers or soldiers of your brigade. I suppose by this time I shall be thought troublesome by some, but however some individuals may think of the matter, yet so long as I am honored with my present station I shall look on it as my duty to represent to your honorable house every grievance I find among your troops or even amongst your inhabitants within the district of my command. With respect to the distresses of your troops I have no doubt they are visible to the meanest capacity in the country. They have been so shamefully neglected by the Legislature of the state that I am now at a loss how to address on the subject ; a state who claims credit with any of her sister states of her size on the continent, in turning out her equal number of militia as well as continental troops, on all occasions, for the defence of our rights and privileges; and that their military prowess has equally gained credit with their alertness, is what I believe none will deny. I say after all these circumstances in favor of the troops of the state of New Jersey, is it not strange the Legislature should not think them worthy of their notice or care when brought to the field ; incredible as it may seem, it is certainly true, to such a length has the neglect and injustice been carried that had any private person attempted to treat his servant in such a manner, the law of the state would have found such servant ample redress. I will give a few instances on the contract by way of example, viz. when the soldier and officer engaged to serve the

state or continent, a continental dollar was worth a Spanish silver dollar, and would have bought equally as much of any article the officer or soldier wanted to purchase; now those very people whose servants these officers and soldiers are, will require now for some articles of their own manufacture or raising near twenty continental dollars for what one silver one would have purchased then, and in some other articles much more. Where is the justice or equity of this proceeding? None I presume can be offered. Shall we then expect less justice from the legislators of our state than from private persons? I hope not. Therefore I make no doubt you will immediately set about making ample recompense for the injustice done your troops in time past, and a sufficient subsistence for them for the time to come. I make no doubt you will instantly set about doing your troops justice, therefore I beg leave to give you my sentiments on your mode of doing it. I would not have you to copy after Pennsylvania entirely, although they deserve great credit for what they have done, considering the quantity of back water their wheels of government have to force their way through. I would not have you to furnish your troops with muscovado sugar at 3s. 9d. per lb., above five times its former value when we entered the service, nor common tea at 12 shillings per lb., above twice its value, and other things in proportion; nor with one suit of clothes in the year at the old prices, when the value of two suits in clothes will scarcely serve. I would have you to furnish them with such articles and necessaries as

they may think suitable for them, equal to their full pay at the time and prices when they entered the service. This I call justice and no compliment: if you fail in any article of this by not having it in your power to get it, you must make ample amends in something else that is suitable. Pay your military as you ought to do, and you may expect their labor, yea, I say command it. It is useless for you to say you are not able to pay in full value. I ask pardon, I know better; your merchants and farmers never were so rich in this world before. I cannot say what provision they have laid up for the other world, but if we are to judge by the old rules "to lay up treasures in heaven, such as charity, virtue, public spiritedness, &c. &c.," I think they have not put much in that bank lately, it is likely they intend it when the hard money comes in use. The farmer as well as the merchant is come to knowledge that every thing is worth what it will bring, and notwithstanding he knows that the security of his property and privileges has cost the soldier dear in heats, colds, thirsting, hunger and watching, yet they will make no scruple to strip him of his month's pittance for a day's subsistance and the other for a toy. Charity will not carry any of them further than a drink of cold water, which shows the absolute necessity of the officers and soldiers having a decent subsistence to support them according to the custom of the times, without trusting to charity. I believe it will hardly be denied that the soldiers have been the last of the community who have given up their living on honor and virtue, they stood firmly to it till many thousands

perished that would now have been in the land of the living had they been taken proper care of, and which was in the power of the states to have done. Falstaff justly says that "honor will not clothe a man's back, nor fill his belly, nor mend a broken leg or arm," therefore one good turn must deserve another, and that in such a manner that no misconstruction can be put on its value.

As to your making some provision for your servants that are rendered unfit for further service, or to those who have been brought up to no other business, or for the widows or orphans of those brave men who have fallen in your service, humanity must dictate that some provision be made for them. I know I could not suffer an old dog to perish for want who had served me faithfully, if I had it in my power to serve him. It is well known that the pay of the British army was established above two hundred years ago, and that the officers' and soldiers' pay was then honorable and generous, but since that time the money has depreciated in its value, at least as three to one, owing to its increase in quantity: it is also well known that no officer in the British service under the rank and pay of Captain can support himself on his pay but by the greatest parsimony, or from his private fortune or friends, and from the Captain upwards their pay is no more than a decent support, therefore as the public have taken them into their service and has not thought proper to allow them more than a bare subsistence, it was reasonable to expect that some support would be provided for them

by the public when they were old or disabled, or to those whose services may be wanted in future, as well as to widows and orphans. It is well known that the pay of our troops (the officers I mean) has never been as high in continental currency as the British officers' is in sterling, therefore would I imagine that we are entitled to equal recompense at the end of the war with them. However, in this case I would recommend it to you to copy after that kingdom or state whose discipline you think the most perfect. You have plenty to make your choice from. Something concerning the weakness of your civil authority in time of war (especially when the enemy are on your borders) to serve the state effectually, shall be the subject of my next.

I am, gentlemen, with much respect and esteem,

WM. MAXWELL.

His Excellency, Gov. LIVINGSTON. The honorable Council and General Assembly of the state of New Jersey.

From General Maxwell to the Legislature.

Elizabethtown, April 26th, 1779.

GENTLEMEN,—I promised in my last of yesterday to give you some hints wherein I thought your Civil Policy was weak, and not sufficient to answer the exigency of the times, when an enemy is in your state or on your borders. I will give you some instances, viz: I will suppose a tory is taken up, going to or coming from the enemy, and may possibly be twenty or thirty miles

from his former abode; in that case the magistrate where he is taken can do nothing with him; then the military must go that distance and take all the evidence with him, and when that is done, if his crime is not so capital as will be likely to hang him, the justice immediately takes bail of him, and if his former residence was on the lines, which is commonly the case, he cannot prevent him from living there; the magistrate says he cannot bail him, and then orders him to be confined to some county at a distance. I believe his observations to be right, but some remedy ought to be provided for such evils. I suppose there are five or six or more such persons between this place and Woodbridge, that are turned loose upon the shore, who have been over with the enemy some one year, some eighteen months, and others longer, so that they return to us with the addition of seven devils more than they were possessed of before, by the connections they have formed on the other side; and no doubt but some of them are sent over to us by the enemy. Two of these sort of fellows were bailed out last winter, and when called on to attend Court at Newark they made their escape to the enemy and then sent intelligence back that the enemy had carried them off. The present mode might answer well in time of peace, but it cuts a shocking figure in time of war. Again, some people are encouraging our soldiers to desert, and others buy their clothes; and no one knows what to do with them and villainy escapes unpunished for want of necessary law.

There are a number of people in this part of the country, that it would be much better for the safety of the state, that they were moved some to New York and others back into the country. That we should keep Capt. Kennedy and Capt. McCloud here on parole, is very extraordinary; it is keeping licensed spies, in our very lines, amongst our troops; this is carrying complacency beyond anything that I ever saw or heard of. Here we much exceed the generosity of princes, by suffering such people on our lines and among our troops; in short, these officers and the tories here prevent the honest whig from doing his duty for fear of having his property destroyed, which they often threaten them with. It is well known that Capt. Kennedy carries on a correspondence with the enemy by the assistance of his wife and negroes. The Governor knows something of this; it appears by the oath of one of the soldiers that was lately secured at Newark, when some others deserted, that Capt. Kennedy's negro was to find them a boat, and it is likely that he did to those that went off. If the enemy would not exchange them, (which I think they cannot avoid finally,) I would send them in on a parole, and if they would not go that way I would make a present of them; it would have been well for us had that been done long ere now. Capt. McCloud draws his full pay from them in New York, and seems to have no visible business here. I think he would be much better for us in New York. He cannot help speaking against us and our measures and a man who will speak hasty in any cause, will act too, when

he can do it with safety. Mrs. Chandler is much in the same way here that McCloud is, with respect to her living; but in the way of giving intelligence to the enemy I think her the first in the place. There is not a tory that passes in or out of New York or any other way, that is of consequence, but what waits on Mrs. Chandler; and mostly all the British officers going in or out on parole or exchange, wait on her; in short, the Governor, the whole of the tories, and many of the whigs. I think she would be much better in New York, and to take her baggage with her, that she might have nothing to come back for. Lawyer Ross and some other noted tories here I would recommend to be sent some distance back in the country, as well as some others along the shore between this and Amboy, after their characters being properly enquired into by proper persons sent here for that purpose by you. They must not be persons living near this place, that will do the business, it must be people that are not afraid of those people's emissaries or friends on the other side, There wants a thorough reform here. Several good friends have mentioned these hints to me often, but dare not apply to the legislature for fear of a discovery. I beg you will excuse the roughness of these observations, as I have not had time to dress them.

I am, with respect and esteem, gentlemen, your most obed't and h'ble servant,

WM MAXWELL.

His Excellency, the Governor, Council, and General Assembly State New Jersey.

From Frederick Frelinghuysen to the Speaker of the Assembly.

Trenton, April 29th, 1779.

Sir,—Agreeable to the appointment of the Legislature, I repaired to Philadelphia in the month of January last, and have since that time attended Congress, until the public business entrusted to my care in the county of Somerset rendered my absence unavoidable.

It is needless for me to remind the honorable Legislature, that I did with great reluctance accept of the appointment of a delegate for this state in Congress. I was then sufficiently sensible that the trust was too important for my years and abilities. I am now fully convinced that I should do injustice to my country did I not decline that service.

In doing this, I am conscious to myself that I am actuated merely by motives for the public good, well knowing that whatever may be my abilities, they will be useless to the state in the supreme council of the Nation, and that the other appointments with which the Legislature of New Jersey have been pleased to honor me in the county of Somerset, are more than sufficient to employ my whole attention.

I might add some other circumstances which render my situation there peculiarly disagreeable, but I fear the evils which might arise from my opening myself on this subject, would more than counterbalance any good it it might probably answer. I trust, however, the representatives of New Jersey will not think it impertinent

in one who has faithfully endeavored to serve his country, to declare to them that the interests of America loudly call on them for *extraordinary* vigilance.

I shall say nothing respecting the amazing expense of attending Congress, and my inability to support it. I am determined not to complain till the last farthing of my little property is spent in the service of my country; and then, perhaps, I shall have the consolation to see poverty esteemed as the characteristic of an *honest man.*

I conclude with observing, I am particularly moved to wish for a release from the appointment, as it has been hinted to me that my colleague Mr. Fell is exceedingly uneasy that he is so often left alone to manage the weighty affairs of state, and that he has even expressed himself with warmth and temper on the subject in his letters to the Legislature. I shall only say I am ready at all times to give an account of my conduct to those who appointed me.

I trust the Legislature will take into consideration and gratify my request of being excused from the farther attendance at Congress.

I am, sir, your most obedient and humble serv't,

FRED^{K} FRELINGHUYSEN.

Hon'ble CALEB CAMP, Speaker of the Assembly.

Memorial of the Officers of the Jersey Brigade.

To the Honorable the Council and General Assembly of the State of New Jersey.

GENTLEMEN,—Our being now under marching orders

induces us to this our second remonstrance, occasioned by your too long delay and inattention to us.

We therefore with the greatest concern and reluctance inform you, that unless we have an immediate relief, and the depreciation of currency made good, we shall be under the necessity of leaving a service we would wish to continue in while we can be supported.

Unless we do within three days receive the former of these demands, and full assurances of the latter being complied with as early as possible, we request officers may be immediately appointed in place of

Your most obed't, humble serv'ts.

Elizabethtown, 6th May, 1779.

Jno. Forman, Capt.,	Abm. Martin, Lieut.
Giles Mead, do.	Ephm. Whitlock, do.
Alex'r Mitchell, do.	Edw'd Burrows, do.
P. V. Voorhies, do.	P. Lott, do.
John Holmes, do.	Silas ——, do.
Aaron Ogden, do.	Absalom Bonham,do.
Jacob Piatt, Lieut.	Asher Levy, Ensign.
Wm. Piatt, do.	Jno. ———, do.
Cyrus DeHart, do.	Jno. Bishop, do.
Jno. Howell, do.	Jn. Snowden, Lieut.
Wm. Barton, do.	

Memorial of Major Cummings and Capt. Anderson.

To the Honorable, the Legislature of the State of New Jersey—

GENTLEMEN,—We being appointed by the officers of the Jersey brigade to make such representations to our Honorable House (respecting the depreciation of your pay,) as to us might appear expedient, beg leave to present the following:

Being fully sensible that by reason of the many and most important matters in which you must be necessarily employed, those of less consequence to the general good may in some degree be neglected and forgotten; we beg leave to remind honorable Body of the petition of the twenty-sixth of May, delivered by Colonel D'Hart and Dr. Elmer in behalf of the officers and soldiers of the brigade, requesting that the certificates on account of the depreciation of our pay, might be more effectually secured by the mortgage of those estates that are already or may hereafter be confiscated.

Placing a firm reliance upon your entire willingness to pay every possible attention to the representations of your brigade, and confiding in your laudable endeavors to give them the most ample satisfaction in your power consistent with the public weal, we take the liberty to request in the most earnest manner, that we may be placed on an equal (or the same) footing with that of the troops belonging to the state of New York.

We were never yet made sensible either by *general* or particular instances of any superior merit in the officers and soldiers of that state, to those employed under you; nor can we be induced to think that the legislature of any state can be more desirous of encouraging merit, or more willing to render strict justice to their army than that of ours. Deeply impressed with these sentiments of your liberality and strict adherence to justice, we have ventured to trouble you with the foregoing representations, being convinced from cool and impartial reflection, that no sufficient objection can be

offered against a request, which to us appears to be founded on the grand principle of equity and economy. For we conceive that the mode above alluded to, as having been established by the legislative authority of the State of New York, would be equally conducive to the interests of the state and that of the brigade, since it must consequently save to the former an annual interest of as much as the certificates draw, more than the rents arising from the confiscated estates; and will give to the latter the most ample satisfaction, by affording them an opportunity of realizing their notes, which must otherwise be exposed to the disadvantages of an equal invalidity with the new emission.

We are, gentlemen, with the greatest respect, your obedient servants,

J. N. CUMMINGS,
Major 1st R. Jersey.
J. ANDERSON,
Capt. in 1st Reg't, N. J.

From Brigadier General Maxwell to General Washington.

Elizabethtown, May 6th, 1779.

SIR,—I am just informed by Col. Ogden that the officers of the first regiment have delivered him a remonstrance to our Legislature with their commissions, informing them that if they have not some immediate redress with respect to their pay and support they will look on themselves as out of the service at the

expiration of three days. They will however put the regiment in the most proper order for marching, or take care of it till the state has reasonable time to supply other officers. This is a step they are extremely unwilling to take, but it is such as I make no doubt they will all take. Nothing but the necessity of their not being able to support themselves in time to come, and being loaded with debts the time past, could have induced them to resign at so critical a time, when their country so much wants their services. They begged the Colonel to make it known to those concerned that they had not taken this step through any design of cabal or disaffection, as they had not desired or wished an officer of any other regiment to join them, that they would have come to this resolution long before now, but from their unwillingness to leave the service they so much respected, and that their former applications, with those lately made to their Legislature, they thought would have drawn their attention to their distresses. They say the clothier for this state has informed them that the assembly has given him orders to purchase to the value of £150 worth of clothing for each officer, which they say will not do much more than get them a coat.

Col. Ogden is going off to the Assembly to lay the affair before them, and expects to be back in three days. I have in haste endeavored to convey the substance of what Col. Ogden informed me to your Excellency, and am, &c., WM. MAXWELL.

From General Washington to Brigadier-General Maxwell.

Head-Quarters, Middle-brook, May 7, 1779.

Sir,—I have received your favor of yesterday, with infinite concern; there is nothing which has happened in the course of the war, which has given me so much pain as the remonstrance you mention from the officers of the 1st Jersey Regiment. I cannot but consider it as a hasty and imprudent step, which on more cool consideration they will themselves condemn.

I am very sensible of the inconveniences under which the officers of the army labor, and hope they do me the justice to believe that my endeavors to procure them relief are incessant. There is however more difficulty in satisfying their wishes than perhaps they are aware. Our resources have been hitherto very limited; the situation of our money is no small embarrassment, for which, though there are remedies, they cannot be the work of a moment. Government is not insensible of the merits and sacrifices of the officers, nor, I am persuaded, unwilling to make a compensation, but it is a truth of which a little observation must convince us that it is very much straitened in the means. Great allowances ought to be made on this account for any delay and seeming backwardness which may appear. Some of the states indeed have done as generously as it is, at this juncture, in their power; and if others have been less expeditious, it ought to be ascribed to some peculiar cause, which a little time, aided by example, will remove.

The patience and perseverance of the army have been, under every disadvantage, such as to do them the highest honor, both at home and abroad; and have inspired me with an unlimited confidence in their virtue, which has consoled me amidst every perplexity and reverse of fortune to which our affairs, in a struggle of this nature, were necessarily exposed. Now that we have made so great a progress to the attainment of the end we have in view, so that we cannot fail without a most shameful desertion of our own interests, anything like a change of conduct would imply a very unhappy change of principles, and a forgetfulness as well of what we owe to ourselves as to our country. Did I suppose it possible this could be the case even in a single regiment of the army, I should be mortified and chagrined beyond expression. I should feel it as a wound given to my own honor, which I consider as embarked with that of the army at large. But this I believe to be impossible. Any corps that was about to set an example of this kind, would weigh well the consequences, and no officer of common discernment and sensibility would hazard them. If they should stand alone in it, independent of other consequences, what would be their feelings on reflecting that they had held themselves out to the world in a point of light inferior to the rest of the army? Or if their example should be followed and become general, how would they console themselves for having been foremost in bringing ruin and disgrace upon their country? They would remember that the army would share a double portion of the general infamy and

distress; and that the character of an American officer would become as despicable as it is now glorious.

I confess the appearances in the present instance are disagreeable, but I am convinced they seem to me more than they really do. The Jersey officers have not been outdone by any others, in the qualities either of citizens or soldiers; and I am confident no part of them would seriously intend anything that would be a stain to their former reputation. The gentlemen cannot be in earnest, they have only reasoned wrong about the means of obtaining a good end, and on reconsideration I hope and flatter myself they will renounce what must appear improper. At the opening of a campaign, when under marching orders, for an important service, their own honors, duty to the public and themselves, a regard to military propriety, will not suffer them to persist in a measure which would be a violation of them all. It will even wound their delicacy coolly to reflect that they have hazarded a step which has an air of dictating terms to their country, by taking advantage of the necessity of the moment.

The declaration they have made to the states at so critical a time, that unless they obtain relief in the short period of three days, they must be considered out of the service, has very much this aspect; and the seeming relaxation of continuing till the state can have a reasonable time to provide other officers, will be thought only a superficial veil.

I am now to request that you will convey my sentiments to the gentlemen concerned, and endeavor to

make them sensible that they are in error. The service for which the regiment was intended will not admit of delay; it must at all events march on Monday morning in the first place to the camp, and further directions will be given when it arrives. I am sure I shall not be mistaken in expecting a prompt and cheerful obedience.

I am, &c. G° WASHINGTON.

From the Captains and Subalterns of the 1st Regiment of New Jersey to General Washington.

Elizabethtown, May 8, 1779.

Sir,—General Maxwell has communicated to us the substance of a letter from your Excellency of yesterday. It has made us very unhappy that any act of ours should give your Excellency pain. But we trust when you are made acquainted with the circumstances that induced us to take these measures, that so far from censuring us you will approve our conduct. The reason that we have not heretofore made your Excellency acquainted with our peculiar hard circumstances were, that it would be giving you uneasiness without answering any valuable end; for we are truly sensible of the incessant pains your Excellency has taken for the benefit of your army. You are pleased to say that you cannot but consider the late step of the officers hasty and imprudent. That it was not hasty we will readily prove, and whether imprudent, future events, in some measure,

must determine, though dire necessity with us admitted no alternative.

It will be proper to inform your Excellency that the officers of the Jersey Brigade have repeatedly and at almost every session of the Assembly, since January, 1778, memorialized them upon the necessities of the troops,—and the reasonableness of their making them some compensation for their servvices, that the members of the legislature, individually, always assured the gentlemen who waited on them with the memorials, that something very generous should be done for the troops, but we have the misfortune to inform your Excellency that not a single resolve was ever entered on their Minutes in our favor until within two weeks. So long ago as last winter we informed the council of our determination to leave the service unless we were properly provided for; and from them we again received assurances that provision should be made for us. At the beginning of the present session a resolution was sent into them signed by every officer of the brigade, a copy of which we have enclosed, and so far were they from complying with the reasonable requisitions contained in it, that they have referred it to Congress. Thus are we circumstanced; we have lost all confidence in our legislature. Reason and experience forbid that we should have any. Few of us have private fortunes: many have families who already are suffering everything that can be received from an ungrateful country. Are we then to submit to all the inconveniences, fatigue, and dangers of a camp life, while our

wives and children are perishing for want of common necessaries at home; and that without the most distant prospect of reward, for our pay is now only nominal. We are sensible that your Excellency cannot wish or desire it from us. We are sorry you should imagine that we meant to disobey orders; it was and still is our determination to march with our regiment, and do the duty of officers until the legislature shall have a reasonable time to appoint others, but no longer.

We beg leave to assure your Excellency that we have the highest sense of your abilities and virtues; that executing your orders has ever given us pleasure; that we love the service and we love our country; but when that country is so lost to virtue and justice as to forget to support its servants, it then becomes their duty to retire from the service.

We are, &c., by order,
JONATHAN FORMAN, 1st Capt.

From General Washingston to Brigadier General Maxwell.

Head Quarters, Middle Brook, May 10th, 1779.

Sir,—The short stay you made at head quarters and my attention being otherwise engrossed, prevented my entering upon the subject of the letter from the officers of the 1st Jersey regiment, transmitted in yours of the 8th inst. I am sorry to find the gentlemen persist in the principles which dictated the step they have

taken, as the more the affair unfolds itself the more reason I see to disapprove. But in the present view they have of the matter, and with their present feelings it is not probable any new arguments that could be offered would have more influence than the former. While therefore the gentlemen continue in the execution of their duty, as they declare themselves heartily disposed to do, I shall only regret that they have taken a step of which they must hereafter see the impropriety.

There is one thing to which I cannot forbear calling your particular attention. I observed in the memorial of which the officers transmitted me a copy, that the gentlemen dwell among other things upon the insufficiency of the soldiers' pay. This is a doctrine full of dangerous consequences, and which ought not to be countenanced in any way whatever, neither is it well founded.

The pay given in other armies is little more than nominal; very low in the first instance, and subject to a variety of deductions which reduce it to nothing. This is the case with the British troops, though I believe they receive more than those of any of the European armies. The idea of maintaining the soldiers' families at home at the public expense is peculiar to us; and is incompatible with the finances of any government. Our troops have been uniformly better fed than any others; they are at this time very well clad, and I hope will continue to be so. It is important that any misconception on this point should be rectified. I suppose every officer incapable of encouraging im-

proper expectations in his men; but I must also hope that every exertion will be made to suppress them.

I am, &c.,

G° WASHINGTON.

From the Board of War to Governor Livingston and the Speaker of the Assembly.

War Office, May 22d, 1779.

GENTLEMEN,—Congress having directed us to give the information required by the representation to them from the honorable Council and Assembly of your state, we have the honor of communicating to you every thing on the subject our circumstances as the returns enable us to inform.

By the last return of General Maxwell's brigade there were in the 3 New Jersey regiments—

Gen'l Maxwell's brigade, by return of April last—		
Sergeants, - - - -	71	
Drums and Fifes, - - -	50	
Rank and File, - - -	890	
	——	1011
Spencer's regiment, by the return of March last—		
Sergeants, - - - -	8	
Drums and Fifes, - - -	6	
Rank and File, - - -	126	
	——	140
Forman's regiment, by the return of December last—		
Sergeants, - - - -	5	
Drum, - - - - -	1	
Rank and File, - - -	62	
	—	68

Sheldon's regiment—		
1 troop of horse, - - -	33	
Artillery, 1 company probably, -	30	
Invalids, - - - -	12	
	—	75
		1294
Wanting to complete three regiments, -		365
		1659
Complement of non-commissioned officers and privates for 3 regiments of infantry, by establishment of May 27th, 1778, -		1659

The present state of the 3 New Jersey regiments is as follows:

	Sergeants.	Drums and Fifes.	Rank and File.
Ogden's—	21	20	283
Shrieve's—	27	12	317
Dayton's—	23	18	290
Total,	71	50	890

Wanting to complete—

	Sergeants.	Drums and Fifes.	Rank and File.
Ogden's—	8	0	221
Shrieve's—	2	8	187
Dayton's—	6	2	214
	16	10	622

The men enlisted in Count Pulaski's legion were engaged for one year only. Their time of service is nearly expired, and the men raised in Jersey, from an

aversion to serving with foreigners, are all deserted. And if they were now in the corps, they would not be the objects of the resolution of Congress of the 15th of March last, as that operates only in cases of men enlisted for three years, or during the war. We have supposed that all the men of Forman's and Spencer's regiments were enlisted in New Jersey, which can hardly be the case, as the numbers now in these regiments are the remnants of those collected from the several states; and these regiments having been recruited in the United States at large, though perhaps the greater part of one of them was raised in Jersey, it is scarcely probable that the Jersey men are the only survivors of the many who have been in the corps. Sheldon's troop and the artillery company have been only calculated upon conjecture, as we have not any distinction made in the general return of the army between the men enlisted in the several states which belong to the corps in which this troop and company are now serving. So soon as we receive particular returns from the commander-in-chief, we shall immediately transmit them agreeably to the direction of the resolution of the 15th March last. But we have no hopes of being speedily enabled to do this, as we do not suppose the General will make the return to us until he has collected the necessary information from the whole army. We will beg leave to add that we have always understood that the greatest number of Forman's regiment was raised in Maryland.

We have, from a desire to state the matter in every

point of view, made the above calculations to shew the difference between the numbers Jersey will have to raise in either case. But the number last stated as wanting to complete the three regiments is in the opinion of the board the deficiency your state has to supply. Although by the resolution of the 27th May last the complement of a battalion was fixed by Congress at 553, including non-com'd officers, yet it was not intended hereby to limit the quotas of the state entirely to the completion of their battalions to this establishment. Congress had in mind the artillery, horse and additional battalions of infantry, which not being attached to any state were to be completed from the states at large. Lest these corps should be too burthensome on the states, there was only a reduction of the number of men in the battalion, but also of the number of battalions. At first Jersey had four battalions, and the complement of each was 688, non-com'd officers and privates. She now is called upon to raise only three battalions, and the establishment is only 553. The artillery, horse, &c., stand in the place of the 4th battalion, and the extra numbers. It is the same thing in the other states in like circumstances, and the officers and men of the corps above mentioned were by the recommendation of the 15th of March put under the care of the states wherein they were respectively raised, on a persuasion that they ought to be considered as part of the state quotas, though they were not part of the battalion complements, which they ought not to be, as by making deductions of them from the numbers

which ought to be in the regiments, the corps will never be complete, but must decrease with the increase of the extra corps; which is not only detrimental to the service and disagreeable to the officers, but not agreeable, as we conceive, I have always understood, to the sense of Congress; who will be obliged, in our opinion, in case of deductions from the regimental complements on account of the extra corps, to call on the states to raise a greater number of battalions.

We have the honor to be, with the greatest respect, your very obed. servants,

RICHARD PETERS,
In behalf of the Board.

His Excellency, Governor Livingston, Honorable Caleb Camp, Esq.

From General Washington to Governor Livingston.

Head Quarters, Middle Brook, June, 1779.

Dear Sir,—General Green has informed me that he addressed your Excellency some time since upon the subject of wagons, and suggested that it would be necessary, owing to the difficulties of procuring them in the ordinary way, for the legislature to authorize Col. M. Foreman to impress them in cases of exigency. I would take the liberty to add that it appears to me indispensably necessary for the several legislatures to give their earliest attention to this subject, and to adopt measures from which supplies of wagons may be

derived in times of emergency, and if this is not done, there is every reason to apprehend that the movements of the army will be frequently impeded and sometimes found impractible. We have already experienced great inconveniences on this head, and from the unhappy depreciation of our money they will most probably increase. I most heartily recommend the subject to your Excellency's consideration, and as you will readily perceive that the success and even security of an army in a variety of cases may depend upon the rapidity with which it may be able to move, I am persuaded it will have every proper countenance and support on your part.

The desultory kind of war which the enemy seem determined to pursue, is a further cogent reason for the legislatures interposing with their authority in the case.

I have the honor to be, with sentiments of respect and regard, your Excellency's most obe't serv't,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From General Washington to Governor Livingston.

West Point, August the 26th, 1779.

SIR,—In a letter which I had the honor of addressing to your Excellency on the 22d of May, I took the liberty to mention the inconveniences which had prevailed for want of system in the clothing department, and the necessity there was for an early appointment of

state or sub-clothiers, agreeable to the ordinance established by Congress by their act of the 23d of March, with which I presumed your Excellency had been made acquainted. I am now under the necessity of troubling you with a farther address upon the subject of clothing itself.

From the best information I have been able to obtain, both from returns and particular inquiries, I fear there is but too much reason to apprehend that unless the respective states interpose with their exertions, our supplies of this essential article will be very deficient, and that the troops may again experience on this account a part of those distresses which were so severely and injuriously felt in the past stages of the war, and which a regard to the interests of the states as well as to the dictates of humanity should prevent if it be practicable. I do not know exactly how it will turn out with respect to woolen clothing, I should hope tolerably well, but if the attention of the state shall ever go to this, there will be little probability of our having an over supply. But the articles to which I would take the liberty to solicit your Excellency's more particular attention are blankets, shirts, shoes and hats, (more especially the two first) as our prospect of these is by no means pleasing, and such, indeed, as decides that the supply from the continental clothiers and agents will fall far short, or at least stand upon too critical and precarious a footing. The importance and advantages of good supplies of clothing are evident, and they have been most remarkably and happily demonstrated in the

health of the troops since they have been pretty comfortably provided for in this instance. A circumstance of all others the most interesting.

While I am on the subject of clothing, I would also beg leave to add that the condition of the officers in this respect, appears to me to require the attention of their states. It is really, in many instances, painfully distressing. The want of necessaries and the means of procuring them at their present exorbitant prices, has compelled a great many officers of good reputation and credit to resign their commissions. And if they are not relieved, it must be the case with many others, as they will have no alternative.

I have the honor to be, with the highest respect, his Excellency's most obed. serv't.

G° WASHINGTON.

His Excellency, Gov'r LIVINGSTON.

From Governor Livingston to the House of Assembly.

Trenton, September 23d, 1779.

GENTLEMEN.—The Privy Council have had no agency relative to the state regiments, except in the following instances:

1st. That of allotting it to the counties of Bergen, Essex, Middlesex, and Monmouth, in the following proportions, viz.: To Bergen 250 men; Essex Post 445 men, and to Monmouth 300 men.

2. That of directing the quota raised by the county of Sussex, to be stationed in that county.

3. Of appointing Lieut. Col. Taylor, (after Colonel Neilson and Colonel Frelinghuysen had been successively appointed, and had both refused to accept the command,) as an assistant to Colonel Frelinghuysen, from the additional duties attending the post at Elizabeth-Town, on account of the flags, and his being obliged to visit the other posts, as commandant of the whole regiment—which appointment was made from the critical exigency of affairs, and in confidence that the legislature would at their present sitting, provide for his pay, and allowance as a lieutenant-colonel, and if not, those officers were to be at liberty to retire, and which has eventually appeared to be a fortunate measure, as Colonel Frelinghuysen has only by reason of his ill state of health, been able to take the command. That eight companies of the regiment are stationed in the counties of Essex and Middlesex, and seven of those companies in Essex, as mentioned in the representation of the honorable House, is neither in consequence of any order from the Governor, nor did it come to his knowlege, till he received the said representation; and which, if true, and unless the said companies are deficient in their number of men, or particularly sickly, appears to him as unequal a distribution as it doth to the honorable House; and for their satisfaction therein, he will either write to the commanding officer on the subject, or (if the house prefers that mode of inquiry,) will order him to attend at this place, for the further explanation of his conduct, which from Col. Taylor's known character for prudence and impartiality, the

Governor has reason to think will meet their approbation. In the mean time the Governor will be ready to provide copies of all his letters to the officers at the different posts, and their letters to him relative to the state regiments, to a committee of the House, whenever the Assembly shall think proper to appoint one for that purpose.

WILL. LIVINGSTON.

Privy Council, Sept. 27, 1779.

His Excellency, the Governor, having laid the representation of the Honorable House of Assembly, relative to the stationing the state regiments, before the Board. The Council advised his Excellency to answer, which he accordingly did; and the Board do now agree to the above answers, as far as respects themselves.

By order of the Council,

BOWES REED, Sec'y.

Hon'ble House of Assembly.

From Colonel Taylor to Governor Livingston.

North Branch of Raritan, Sept. 25, 1779.

SIR,—It was my intention to have inclosed a return of the number of officers who have joined the State Regiment from each county; and also the deficiencies of each, but not having been able to get the reports of the several companies soon enough, owing to their separate stations, and the necessity of my attending the examination of the students of Queen's College, I have

at present omitted making such a return, but shall transmit it, together with the state of the regiment, as soon as possible. Enclosed is an account of Doctor Winans, who has faithfully attended the troops, and also an account of my own, for lodging, &c., which his Excellency the Governor, and his honorable Privy Council gave Col. Frelinghuysen and myself reason to believe should be answered when we accepted the command of the regiment. We have not been able to enlist any light-horsemen upon the plan proposed by act of Assembly. There are ten horsemen at Elizabethtown, raised from the infantry in service at that place. There ought to be at least twelve at that post, and twelve more at the other different stations. We have one piece of artillery, the men to work it also taken from the musketry stationed at that place. The season will soon be too far advanced for tents, or I should again make application for them. The houses in which the troops are quartered, having been long made use of for lodging soldiers, are become very dirty, and of consequence unhealthy. This doubtless is one reason that our men are so sickly, that not above one-third of them are capable of doing duty. This part of the regiment have, and do still labor under many inconveniences, on account of no sufficient provision having been made for the sick. In the first place, no medicine has been provided for them; and in the next place I found it impossible to prevail upon the neighboring surgeon to attend them, and make use of their own medicine which they had purchased for private practice, being fearful that their bills would not be paid. Many of the

soldiers growing very sick, I at last persuaded Doctor Winans to attend them, and supply them with medicine as far as he should think necessary, by giving my word that his accounts should be paid, for which, as enclosed, I stand answerable. The Doctor's medicine is now expended, and at present there is no surgeon to administer advice or medicine to the troops, who continue very sickly.

Many of the men being rendered very weak by severe sickness, I thought it imprudent to keep them in quarters, both on account of its not being possible to secure necessaries for them, and that attendance which men in their situation require; and also on account of our being exposed to the sudden invasion of the enemy, when many of the men would inevitably fall a sacrifice. I then procured a house for a hospital at a considerable distance from the town which answered the purpose for some time, but sickness increasing rapidly, our hospital was found insufficient to contain one half of them. I then sent an officer to Springfield, Westfield, and Connecticut Farms, and to every adjacent place where I thought there was a probability of success, to endeavor to provide quarters for the sick, but all my attempts proved abortive. After finding it impossible to secure the sick, to render their situation in any degree comfortable, I permitted them to return home until they should recover their health. I need not mention to your excellency the many disadvantages attending this step. I however feel satisfied from a consciousness of having discharged my duty to my country, and the regiment under my command.

Two or three boats are much wanted at Elizabethtown as guard boats. They would be a great security to the Post and lessen the fatigue of the soldiers. A number of men have been sent into service from each county, who are not armed and accoutred as the act requires. Also many men and boys have been enlisted in the regiment, who are by no means fit for soldiers. We have stood in great want of a muster-master.

His Excellency without doubt remembers that the Governor and his honorable Privy Council called upon Col. Frelinghuysen and myself to take command of the state regiment, agreeably to our commissions, which we consented to do until the legislature should meet. Col. Frelinghuysen has been prevented from joining the regiment in consequence of sickness, which still continuing, has caused him to resign. His Excellency will also recollect that I informed him that I was pre-engaged by the trustees of Queen's College, and that it was with great difficulty that I was able to leave the business of the College until this vacation. But rather than that Col. Frelinghuysen should not take the command of the regiment, which he would not accept of unless I went with him, I consented to go until the Assembly should meet. His Excellency also informed me, that if Col. Frelinghuysen would agree to command the regiment without me that then he would have no objection to my resigning, being a supernumerary. The Colonel having resigned, that objection is removed, and the trustees of Queen's College insisting upon my fulfilling my engagements, I hope I shall be discharged from the regiment as soon as possible. It is certain,

the business at Elizabeth-town is too much for one person to do. There ought to be two fixed officers at that Post, but I cannot be convinced of the necessity of a field officer being stationed at Newark;—a captain's command is sufficient for that place.

I should have done myself the honor of waiting upon your Excellency in person, but being seized with a severe fever last Monday night, which still continues, prevents my going to Trenton at present.

I shall be much obliged to your Excellency to lay this before the Assembly as soon as you shall think proper.

I remain, with great respect, your very humble servant,

JOHN TAYLOR,
1st Col. New Jersey State Regiment.

His Excellency, Gov'r LIVINGSTON.

From General Washington to Governor Livingston.

Head Quarters, West Point, Sept. 27th, 1779.

DEAR SIR.—Several concurring reports lead so strongly to a supposition that a French squadron may be approaching our coast, that I think we cannot with propriety altogether neglect them. If this should take place it will be incumbent upon us to exert our utmost resources in a co-operation; and I shall be under a necessity of applying to the adjacent states for very considerable aids of men and supplies, particularly in the article of flour, of which our prospects are extremely limited, and unpromising. In the present uncertainty,

without any official advice of the event, I do not think we should be justified in adding to our embarrassments by calling out a body of militia beforehand: but I thought it my duty to give your Excellency the present intimation, that you may have the goodness to preconcert such arrangements as will be best adapted to a prompt and effectual compliance with the application I may have occasion to make. These, as I observed, will reach to a speedy and ample supply of even provisions, and I may add the means of transportation, which will also require particular attention in an emergency of this kind.

It will be essential that the men should come out properly equipped and organized, that there may be no delay or trouble on this head—and that they should be obliged to serve for a term of two or three months after they join the army.

Your Excellency will be sensible how much the honor and interest of these states must be concerned in a vigorous co-operation, should the event I have supposed happen, and I shall place the fullest confidence in that wisdom and energy which your Excellency's conduct has afforded such frequent and decisive proofs.

With the most perfect respect and esteem, I have the honor to be your Excellency's most obd't serv't,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From Enos Kelsey to the Speaker of the Assembly.

Princeton, September 27th, 1779.

SIR,—I herewith hand you an estimate of sundry things now wanted for the officers and soldiers of the Jersey brigade, with the prices annexed to the same, as nearly as these times of uncertainty will admit of. As I am now on my way to Philadelphia, I mean to call on the clothier-general immediately, and procure from him as many of the articles as possible. Such as I cannot get that way, I intend purchasing, as far as my money will extend, which is £28,539. 5. 0. My whole attention at present, I believe, ought to be paid to the clothing of the soldiers only. I therefore intend at this time to engage the stockings, which I think can readily be done, purchase linen for one shirt each, and set them a making fast as possible. The coats I have some hope of receiving from the clothier-general, as I am well assured he has a great many on hand. The articles for the officers, I informed you before, cannot be obtained in Philadelphia or Baltimore, agreeably to their returns, and as I wish to gratify them in every thing that is reasonable, would propose going to Boston for them, upon the following conditions, viz. to be found a horse, and have my expenses paid, and also the expenses of one other person to go with me, as you must know it would hardly be possible for me to take so large a sum of money alone, besides I should not choose to go alone with so considerable a charge, as near 30 thousand pounds. You can think of the pro-

posal till my return, and should it appear reasonable, and the house should agree to my going, I will undertake the journey. If not, I am content to provide for the officers here, as well as it can be done, although I believe my scheme would be a saving to the state of at least 10 thousand pounds.

The following are the estimates—

For the Soldiers.

5250 yds. Linen, for Shirts. 1500,	at 140s. per yd.	£36,750
1443 pair of Hose,	120s. "	8,658
350 " Shoes,	120s. "	2,100
726 yds. blue cloth to make coats,	400s. "	14,520
150 yds. scarlet facing,	600s. "	4,500
400 yds. Osnaburgs, linings of sleeves,	80s. "	1,600
300 yds. Shalloon, lining of coats,	140s. "	2,100
		£70,228

For the Officers.

240 yds. broad cloth,	80s. per yd.	£19,200
250 doz. double gilt buttons,	16s. "	2,840
200 yds. linen for lining breeches,	6s. "	1,200
80 yds. buckram,	11s. 5d.	900
Sundry trimmings for 80 suits,		320
80 pair shoes,	11s. 5d.	900
80 pair boots,	50s.	4,000
80 hats,	70s.	5,600
240 pair of hose,	11s. 5d.	2,700
320 pocket handkerchiefs,	70s.	2,240
		£40,960

I am your ob't and hum'e ser't,

ENOS KELSEY.

Honl. CALEB CAMP, Speaker of the House of Assembly.

From Governor Clinton of New York to Governor Livingston.

Kingston, October 4th, 1779.

SIR,—It being represented that persons belonging to this and the neighboring states have without any proper authority formed themselves into parties, and plunder and commit other outrages upon the inhabitants of Long Island and other places within this state, in the power or possession of the enemy, the Senate and Assembly of this state on the 1st and 2d instant entered into concurrent resolutions on that subject, a copy of which I have now the honor of enclosing to you, and I am to inform your Excellency that agreeably thereto I have issued my proclamation. But you will readily perceive that the measures adopted by this state for preventing those mischievous practices will prove ineffectual unless they are seconded by the co-operation of the adjacent states whose subjects are equally concerned. I am therefore to request your Excellency that such measures may be taken in your state as may be deemed most effectual for preventing those abuses in future.

I have only to add, that, exclusive of the distress which unfortunate individuals sustain by these practices, I am informed by the principal officers commanding near the lines, that their parties are thereby often endangered, and the public service essentially injured.

I have the honor to be, with the highest respect, your Excellency's most obedient servant,

GEO. CLINTON.

His Excellency, Governor LIVINGSTON.

Resolution of the New York Legislature, enclosed in the foregoing.

State of New York, in Assembly, October 1st, 1779.

Resolved, if the honorable the Senate concur herein, that his Excellency, the Governor, be requested forthwith to issue his proclamation strictly forbidding all persons whomsoever to plunder the inhabitants of Long Island or of any other place in the power or possession of the enemy within this state, and also strictly forbidding all persons, subjects of this state, to plunder any inhabitant or inhabitants of any other of the United States within the power or possession of the enemy, and thereby declaring that if any person shall so offend against the law of nations and the rights of war, he, she, or they so offending shall be punished to the utmost rigor of the law. And that his Excellency be also requested to write to the executive powers of the states of Connecticut and New Jersey earnestly requesting them respectively to issue a similar proclamation, and that his Excellency request the several officers commanding at or near the enemy's lines within this state to take and secure all such offenders and cause them to be sent to the board of commissioners for detecting and defeating conspiracies in this state.

Ordered that Mr. Lott and Mr. Coe carry a copy of the said resolution to the honorable the Senate for concurrence.

In Assembly, October 2d, 1779.

A copy of a resolution of the honorable the Senate delivered by Mr. Floyd, was read, to wit: "That the

Senate concur with this House in their resolutions of yesterday that his Excellency, the Governor, be requested to issue his proclamation for the purposes in that resolution mentioned." Ordered that Mr. F. Bancker and Mr. Pawling wait on his Excellency, the Governor, with a copy of the resolution of this House, and of the concurrence of the honorable the Senate.

A true copy from the minutes,

JOHN McKESSON, Cl'k.

From General Washington to Governor Livingston.

Head Quarters, West Point, October 4th, 1779.

SIR,—I have the honor to inclose your Excellency the copy of a resolution of Congress of the 26th Sept. by which you will perceive they expect the arrival of his Excellency, Count D'Estaing; and that I am directed to pursue measures for co-operating with him, and to call upon the several states for such aid as shall appear to me necessary for this important purpose. In compliance with these directions, I have made an estimate of the force of militia which will be indispensable in conjunction with the continental troops; and have apportioned this force to the neighboring states, according to the best judgment I am able to form of their respective circumstances and abilities. The number I have to request from the state of New Jersey is 2000.

In framing this estimate I assure your Excellency I have fixed upon the smallest number which appeared to me adequate to the exigency on account of the scanti-

ness of our supplies; and I think it my duty explicitly to declare, that the co-operation will altogether depend on a full compliance with these requisitions. If I am so happy as to obtain the whole number demanded, a decisive stroke may be attempted against New York with a reasonable prospect of success. If the supply falls short, the disappointment will inevitably produce a failure in the undertaking. In this case Congress and my country must excuse a want of enterprise and success of which the want of means will have been the unfortunate cause. If the honor and interests of the states suffer from thence, the blame must not be imputed to me. I have taken the liberty to dwell on these points to induce a persuasion that I have not exaggerated in any degree the number of men really necessary, lest a supposition of this kind and a regard to the case of the people should relax the exertions of the state, and occasion a deficiency which would certainly be fatal to the views of Congress and to the expected co-operation.

I am now to add to this request another equally essential, which is, that the most effectual and expeditious means be immediately adopted to have the men drawn out, properly equipped and embodied to serve for the term of three months from the time they join the army, unless the particular service on which they are drawn out should be sooner performed. I beg leave to recommend Pompton as a proper place for rendezvous. If the laws of the state now in existence, or the powers vested in your Excellency, are not competent to these

objects, permit me to entreat that the legislature may be called together without loss of time, and that you will be pleased to employ your influence to procure laws for the purpose, framed on such principles as will procure an instant and certain execution.

There are other objects which I beg leave at the same time to recommend to the most zealous and serious attention of the state. These are the making every exertion to promote the supplies of the army, in provisions, particularly in the article of flour, and to facilitate the transportation in general of necessaries for the use of the army. Our prospects with respect to flour are to the last degree embarrassing. We are already distressed, but when we come to increase the demand by so large an addition of numbers we may expect to be obliged to disband the troops for want of subsistence, unless the utmost care and energy of the different Legislatures are exerted. The difficulties daily experienced on the score of transportation justify the equal apprehensions on that account, without a similar attention to this part of the public service.

These difficulties were sufficient to deter me from the plan I mean to pursue, was I not convinced that the magnitude of the object will call forth all the vigor of the states, and inspire the people with a disposition to second the plans of their governors, and give efficacy to the measures they adopt. I doubt not our resources will be found fully adequate to the undertaking, if they are properly exerted, and when I consider the delicacy of the crisis, and the importance of the objects to be ob-

tained, I cannot doubt that this will be the case. On one side, the reputation of our councils and of our arms, and an immediate removal of the war present themselves. On the other, disgrace and disappointment, an accumulation of expenses, loss of credit with our allies, and with the world; loss of confidence in ourselves; the exhausting of our magazine and resources; the precipitated decay of our currency; and the continuance of the war. Nor will these evils be confined to ourselves; our allies must share in them, and suffer the mortification of having accomplished nothing to compensate for withdrawing their operations from a quarter where they had right to expect success, and for exposing their own possessions to hazard in a fruitless attempt to rescue ours.

From the accounts received we are hourly to look for the appearance of the French squadron on the coast.

The emergency is pressing, and all our measures should be attended with suitable expedition.

Every moment is of infinite value.

With the most perfect reliance on your Excellency's exertions and those of the state, and with the greatest respect and esteem,

I have the honor to be your Excellency's most ob't and h'ble servant,

G^{o} WASHINGTON.

His Excellency, Gov'r LIVINGSTON.

From William H. Houston to Governor Livingston.

Philadelphia, October 5th, 1779.

SIR,—I am sorry that it has not been in my power to command as much time as I should have wished to employ in giving a distinct account to the legislature of the most material occurrences in the progress of business since I came to Congress. It is certainly the duty of every person in public trust to make those from whom he derives his appointment acquainted with the manner in which he executes it, that they may be able to decide how far he fulfils or deceives their expectations, and to form at any time, a clear estimate of his character. Next to want of fidelity, I look upon the neglect of giving due information to his constituents, the greatest crime in a public man.

The principal intention of this is to point at a question which, from accidental circumstances, has acquired a magnitude and importance above what, simply considered, it was entitled to. A question which has excited much inveteracy and ill-blood in Congress, and not a few speculations and suspicions abroad. I mean the recall or rather the super-session of Mr. Arthur Lee, Commissioner of the United States at the Court of Madrid. I have carefully read over the papers and attended to every feasible means of unbiased information relative to this question, and I think I have done it with a temper divested of prejudice. The result is this; I take Mr. Arthur Lee to be a man of a jealous, suspecting, difficult disposition; trusty, capable and

industrious. Indefatigable above others in procuring and transmitting intelligence; accurate and frugal in expenses and money matters; simple, severe, and republican in his manners, so much so, as to be thought by many sour and inimical. This I take to be his character; and in many essentials I am not afraid to call him equal to any person Congress ever employed in a similar capacity in Europe. The story hawked about that his indiscretions prevented the Court of Spain from treating with him, I cannot think believed by those who propagate it, as that conduct in the Spanish ministry is ascribable to different reasons which must strike every person at once who has the least knowledge of the state of matters as they respected that power. But admitting he was the best qualified and most meritorious man on earth, is it not my duty to vote for removing him, when the funds of Congress, are absolutely wasted, and the public business not only retarded but stopped by unavailing altercations concerning an individual? When a general offers up a forlorn hope to save an army, the alternative is dreadful; but the principle is defensible and the practice of it often necessary. I confess that in a republic, where approbation, honor, and praise, more than money and emoluments, are the reward of faithful services, such things ought to be admitted with reluctance and caution; yet still they may not be always avoidable. But further, should it turn out to be a fact, that France was doubtful of him, and that Spain hesitated, it mattered not how good a man he was, one every way inferior, if

free from such exception, would have been preferable for the purpose of treating. The real cause of delay being now removed, it is to be hoped the gentleman who succeeds Mr. Lee will be successful. As I would ever wish to be simply just, but at the same time to do what is best, all things considered, I have no other request than that this state of facts may be remembered another day, when time will throw light upon what is now dark, prejudice will be extinct, and the means of judging fairly will come within the reach of all. Into what course of conduct, or to what length of crimination, resentment may impel this unfortunate man, I am excused from surmising. Whether, as many have done, he will adhere to the part he has taken in spite of what he may think ill-treatment; or whether, as many have also done, he will transfer himself to a situation where he will expect more attention, does not belong immediately to the present decision; at least, I have taken the liberty to throw it out of the balance. At all events I am happy this troublesome affair is ended, and I hope it will never rise up to disturb the counsels of America more. Subjects of contention and animosity are retiring one after another, and unanimity reviving in Congress where it is so essentially necessary. Trifles have had their day, and too long a one it has been; matters of moment have a claim to this, and that it may not only be longer but perpetual, I am persuaded is the ardent wish of every honest man.

Upon reviewing what I have written, a suspicion occurs that the above representation may imply a re-

flection on the conduct of some of my colleagues, which is far from my meaning, as it would be repugnant to justice. The time is not the same, other circumstances also disagree; on the contrary, I must declare that I think their situation hard and undeserved. The whole train of the transaction I can trace minutely. To the quarter from whence the accusations have originated, the motives which inspired them and the instruments which have been employed for their circulation, I am not a stranger, nor am I surprised at anything thus far. But that their fellow-citizens should entertain impressions unfavorable to those they once thought well of, and not call for an investigation of their conduct, or suspend their opinions till an explanation should be had, may perhaps be a matter of some discouragement. If the gentlemen know what is alledged to their charge, I am astonished they do not apply for an opportunity of justification. Certainly if I should ever be of importance enough to be found fault with, I should expect the liberty of explaining facts and motives; after that it is the part of an honest man to submit in silence to the judgment of those who have a right to pass upon his conduct.

I enclose sundry papers marked from number 1 to 5, which I have met with since I came to this place, and which I have copied for the sight of such gentlemen of the legislature as may think it worth their trouble to read them. They relate to a matter which was before the legislature at their last sitting previous to the present. One, if not more of them, is on the files of the

Assembly, They may be of use on some future occasion, but my principal object in copying them is to communicate the noble and dignified sentiments of the commander-in-chief, and to give some idea of the difficulties he has to encounter. If ever any man deserved gratitude and confidence he does, and the more especially as his modesty will never allow him to be sated with the former, nor his goodness of heart to abuse the latter. His letter marked No. 2, is an example in its kind.

It is necessary that I give you the trouble communicating to the House the substance of this lengthened letter. I have no idea they will have patience to go over the whole.

I am, with due respect, your obed't and h'mble servant,

WILLIAM H. HOUSTON.

Proceedings of the Legislature of New York.

State of New York, in Assembly, Oct. 22, 1779.

A letter from the legislature of the state of New Jersey, dated the 29th September last, to the legislature of this state, proposing a general regulation and limitation of prices to be taken for every kind and article of labor, manufacture and trade, was read.

Ordered, that the said letter be committed to a Committee of the whole House,

State of New York, in Assembly, Oct. 29, 1779.

Mr. Gordon, from the Committee of the whole House,

to whom was committed the letter from the legislature of the state of New Jersey, of the 29th Sept. last, to the legislature of this state, proposing a general regulation of prices to be taken for every kind and article of labor, manufacture, and trade, reported that the said Committee had entered into certain resolutions, which being read, were agreed to by the House, and are as follows, (to wit:)

Resolved, In case of concurrence by the honorable the Senate, that Mr. President and Mr. Speaker be directed to write to the delegates for this state in Congress transmitting to them a copy of the letter from the legislature of the state of New Jersey, of the 29th of Sept. last, upon the subject of a regulation of prices, and copies of the letter from the General Assembly of the state of Massachusetts Bay, of the 20th Sept. last, upon the same subject, and of the proceedings of the Senate and Assembly thereon, and in the name of the legislature of this state, to instruct the said delegates earnestly to press, (either separately or in conjunction with the delegates of any other or others of the said United States,) Congress to pursue such measures as they shall in their wisdom judge proper for regulating the prices of produce, merchandize, and labor; and to assure Congress, that the legislature of this state will by every means in their power, carry into execution any other plan which the wisdom of Congress may devise for preventing the farther depreciation, and restoring the credit of the continental currency.

Resolved, In case of such concurrence as aforesaid,

that his excellency, the Governor, and he is hereby requested, on receipt of any recommendation from Congress for the purpose of a regulation, immediately to convene the legislature.

Resolved, In case of such concurrence as aforesaid, that Mr. President and Mr. Speaker write to his Excellency, the President of the Council, and the honorable the Speaker of the House of Assembly of the State of New Jersey, acknowledging the receipt of their aforesaid letter, returning the congratulations therein contained, and inclosing them copies of these resolutions, and also copies of the said letter, from the General Assembly of the state of Massachusetts Bay, and of the proceedings of the legislature thereon.

Ordered, that Mr. Hardenburg and Mr. Othoudt carry a copy of the above resolutions to the Honorable the Senate.

State of New York, in Assembly, Oct. 25, 1779.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Russell, was read, and is in the words following, (to wit:)

Resolved, That this Senate do agree with the Honorable the Assembly in the several resolutions entered into by that Honorable House in consequence of the letter from the legislature of the State of New Jersey, of the 29th September last.

True copies,

JOHN McKESSON, Clerk.

From the Legislature of New York to the Governor and Assembly of New Jersey, transmitting the foregoing Proceedings.

Kingston, October 25, 1779.

GENTLEMEN,—We are directed by the legislature of this state, respectfully to acknowledge the receipt of, and return the congratulations contained in, your letter of the 29th of September last. Not only the importance of the subject, but the attention due to the communication of a sister state, required that your letter should receive our most mature consideration. It was accordingly in each House committed to a Committee of the Whole, and the result was an instruction to our delegates earnestly to press Congress to recommend to the several states to pass laws regulating the price of produce, merchandize, and labor, and to assure Congress of the readiness of this state to comply with such recommendation; and a request to the Governor immediately upon the receipt of such recommendation, to convene the legislature, as you will see from the enclosed copies of the resolutions which were passed on the occasion.

During our present session we received a letter from the General Assembly of the state of Massachusetts Bay upon the same subject, a copy whereof we also do ourselves the honor to transmit to you, together with copies of the proceedings of the Senate and Assembly thereon.

We are, gentlemen, with perfect esteem, your most ob't serv'ts,

By order of the Senate,
PIERRE VAN CORTLANDT, Pres't.
By order of the Assembly,
EVERT BANCKER, Speaker.

His Excellency, WILL. LIVINGSTON, Governor of the State of New Jersey, and the Hon. Caleb Camp, Speaker of the House of Assembly.

From Isaac Collins to the Legislative Council.

Trenton Printing Office, October 30th, 1779.

GENTLEMEN,—The clerk of the Council delivered to me yesterday a resolution of your hon. House, dated Trenton Council chamber, October 29th, 1779, requiring me immediately to inform the Council who the author of the publication inserted in the New Jersey Gazette, No. 96, under the signature of "*Cincinnatus*" is, and at whose request the same was published.

Were I to comply with the requisition contained in this resolution, without the permission of the author of the *piece* alluded to, I conceive I should betray the trust reposed in me, and be far from acting as a faithful guardian of the liberty of the press. I may further say that I am entirely at a loss to conjecture upon what ground this requisition has been made; for it is evident that the piece in question does not contain the most distant disrespectful allusion to your honorable body.

For the above reasons, gentlemen, I find myself

under the disagreeable necessity of declining to comply with your orders. In any other case not incompatible with good conscience or the welfare of my country, I shall think myself happy in having it in my power to oblige you.

I am, gentlemen, yours very respectfully,

ISAAC COLLINS.

To the hon. Legislative Council of the state of N. J.

House of Assembly, October 29th, 1779.

The House of Assembly having taken into consideration the message from Council of yesterday by Mr. Talman relative to a certain "*piece*" published in the New Jersey Gazette, No. 96, signed "*Cincinnatus*,"

Resolved, That this House do not concur in the resolution therein contained.

Ordered, that Mr. Smock and Mr. Neilson do wait on the Council and acquaint them therewith.

By order of the House,

M. EWING, Jr., Clerk.

From William H. Houston to Governor Livingston.

Philadelphia, November 12th, 1779.

Sir,—In my last I was under a misconception relative to the embargo law of the state of Pennsylvania. I find that by a transient attention to it I accidentally mistook for an act a bill printed in the Pennsylvania Packet for public consideration, and which did not pass. The embargo now in operation here is not conditional

but absolute as ours. It is my duty to notice the mistake, lest it should be instrumental in giving impressions unfavorable and unjust.

Every day brings me fresh uneasiness respecting the supply of the general treasury. The expectation of Count D'Estaing's visiting our coasts in this quarter has created a flood of expense, and the means of defraying it are narrowing fast. If the taxes for the present year are not fully and punctually paid in, every thing but hope holds up discouraging prospects. All the states must see the necessity of exertion, and I dare believe New Jersey will not be behind the foremost. The close of this campaign is set down for the era of reformation in the per centage departments, to say no more, and especially if we are so fortunate as to carry through a limitation of prices. Afterwards, it is to be confided, expenditures will be much less.

As to the payment of the taxes for 1780, I mentioned in my last that it was hardly to be imagined any monthly assessment or collection could be made in our state, though if it were practicable it has its advantages. It is rather to be supposed that the legislature will lay the amount in two or three payments, and collect the taxes for support of government along with one or all of them. I have before mentioned the case of two payments. If three are preferred, being one million twelve thousand five hundred pounds, each payment, they come, at equal intervals, the first of February, May and August. The legislature may also probably consider whether taxes are not more easily paid in the

spring than in the summer, and lay more at that season. There would also be another advantage in this policy, the money will probably be more wanted at the time these taxes are calculated to begin than towards the middle or latter end of the year.

There is one clear and obvious principle on which all taxation ought to be rested, and if it could be laid as a ground-work, and extend through our tax laws, payment would not only be practicable but light and easy; it is that every man be called upon to pay in exact proportion to his ability, all things considered. The practice of this principle, I confess, can never be obtained precisely, but it is a point of perfection to which laws may be directed, and to which they may continually more and more verge. The nearer an assessment approximates to this, the more just it is. Why is it not proper to estimate every part of the whole aggregate estate, be the kind of property what it may, according as it is of use and emolument to the owner or possessor, and all acquisitions currently arising from advantages and opportunities? This maxim is practiced upon in some of the states, and comprehended in the short description of taxing a man according to his family. The whole debt of the Union does not amount to one hundred dollars a head, and if set off on the scale of strict justice would not perhaps to the poor be more than the price of three or four days work on a taxable. Our state, it would seem, has always been in the custom of taxing lands too deeply, and there are many kinds of property and sources of

wealth and income which have never paid any thing. I enclose for the perusal of such as are curious, and have not seen it, the case of the sloop Active, which has produced a dispute between Congress and the state of Pennsylvania. The nature of this case will be plainly collected from the printed proceedings of the court of Admiralty before which it was tried. I mention what further is necessary to give an adequate idea of the cause of difference. In the court of Admiralty the jury gave one fourth to the insurgents and three fourths to the libellant, and another cruiser in sight at the time of the capture. From the decision, which is said to be wholly on matter of fact, the insurgents appealed. The court of Appeals decreed the whole to them, and directed the Judge of Admiralty of the state of Pennsylvania to see their sentence executed. The Judge refused, as the law by which the maritime court is established in that state allows an appeal on matters of law only, and does not permit the facts found by a jury to be re-examined. Much law ammunition has been spent on the occasion, and the difference is not yet adjusted. Certain it is that by the resolutions of Congress of 1775, an admiralty jurisdiction say, the facts shall be established by a jury. Lawyers say there is this distinction between trials by jury and trials by witnesses, that in the former case the facts found are not re-examined, in the latter they are. Our law for erecting a court of Admiralty, allows an appeal in all cases whatsoever, but it must be acknowledged that an appeal on matter of fact from the verdict of a jury

has not a good sound. And yet juries are too often worse qualified to decide in maritime causes than any other.

You have also a report of the commissioners appointed by General Washington in April last to settle a course for the exchange of prisoners with the commissioners of General Clinton. It has been already published in newspapers. It is with pleasure I also send an extract from the general orders of the commander-in-chief of 29th July last. The virtues of this amiable man as a citizen are no less conspicuous than his spirit and perseverance as a soldier. To-morrow will be published, by order of Congress, the news from the southward. You will hear it with concern. The raising of the seige of Savannah is not so much to be regretted in itself as the consequent exposure of a large extent of country, the inhabitants of which must unavoidably suffer before succour can arrive to them. Let us however remember what has so often happened, that confidence is the road to disappointment, and where our prospects are least promising from thence success often comes. Nesquam desperandum est de Republica.

I am, sir, with due regard, your obed't h'ble servant,

WILLIAM H. HOUSTON.

From the Delegates in Congress to Governor Livingston.

Philadelphia, November 22d, 1779.

Sir,—Enclosed you have the result of the deliberations of Congress on the representation of the 7th

ultimo respecting a general limitation of prices. We beg leave to say that with attention to the interests of the union in general and the state in particular, and also to the convenience of the legislature, we have left no means untried to give success and dispatch to the business. The legislature, we flatter ourselves, will be disposed to overlook any defects in the plan recommended by Congress compared with the scope and tenor of their representation, when they reflect that different states as well as individuals, however they may coincide in the main substance of a measure, vary often in their ideas on particular parts, and also when they are informed that what we have now the pleasure to transmit has passed with a great degree of unanimity. For the sake of this and greater expedition, policy dictated to concede a little. From appearances we think ourselves justified to say that the measure recommended will in all probability be universally adopted throughout the union. The date of commencement is more distant than could have been wished, but when the remoteness of some of the states is considered, as also that many of the legislatures are not sitting, and that the limitations ought to take place at the same time every where, it could not well be gainsayed. Other arguments also have been urged, tending to shew that this will give fuller efficacy to the measure, by giving people an opportunity to provide against losses and disappointments to their essential prejudice. The ratio of prices to those current formerly, though by many thought too large, is set at a limit which we hope will produce an

easy turn to the tide of depreciation, and make a further reduction in due time more natural and practicable.

We have the honor to be, with all respect, your obed't h'ble servants,

JNO. WITHERSPOON,
NATH. SCUDDER,
JOHN FELL,
WILLIAM H. HOUSTON.

From General Washington to Governor Livingston.

Head Quarters, Morristown Dec. 21st, 1779.

Sir,—Notwithstanding the enemy have been for some time past making demonstrations of sending detachments from New York, they still continue there with their whole collected force. On our part, we have lately been obliged to maintain a considerable body of troops to the southward, and a part of those which remain are daily leaving us from the expiration of their terms of service.

These and many other reasons that must occur to your Excellency will point out the possibility that Sir Henry Clinton may be induced shortly to undertake an operation in this state, and show the propriety of our using every precaution to defeat his attempts. The best way indeed to prevent his undertaking any thing, is to be well prepared to receive him. On this principle I am to intreat that a plan may be concerted without loss of time to call out the whole militia of the state in

the speediest manner, should the event I have mentioned take place. It will also be requisite that they should come provided each man with ten days' or a fortnight's provisions, to be paid for by the public at the current value.

The state of our magazines makes this indispensible, without which the men would be an incumberance rather than an assistance.

As soon as the necessary arrangements are made, I shall be glad to be informed of them, that I may know what correspondent measures are to be taken on my part.

Conventional signals to convey the alarm throughout the state must be one essential part of the plan, and places of rendezvous another.

Your Excellency I am persuaded will see the necessity of the measure, which I have now the honor to propose, and will give it all the support in your power.

I have the honor to be, with perfect respect and esteem, your Excellency's most ob't serv't,

G° WASHINGTON.

His Excellency, Gov'r LIVINGSTON.

From General Washington to Governor Livingston.

Head Quarters, Morristown, February 20th, 1780.

SIR,—Your Excellency will have received, I make no doubt, a copy of an act of Congress of the 9th instant, ascertaining the quotas of non-commissioned officers and privates, to be furnished by the respective

states for the ensuing campaign, and directing all the men in any of the additional corps, the guards, artillery, and horse, and the regimented artificers in the departments of the Quarter-Master-General, and the Commissary-General of military stores, as well as those of the battalions in the state lines, whose terms of service do not expire before the last of September next, to be counted as part of the quotas of the states to which they respectively belong.

The quota of the state of New Jersey is fixed at 1620, and I have now the honor to inclose your Excellency a special return of the non-commissioned officers and privates in the third battalion, and of those belonging to her in Lamb's artillery, Spencer and Hay's regiments. Major Gibb's corps of guards, artillery, artificers, designating in a particular manner, the proportion engaged for the war and by monthly columns, the periods when and in what proportion the services of the rest will expire. Your Excellency will observe by the act, that the men whose engagements expire before the last of September, as I have already taken the liberty to mention, are not to be counted as part of the 1620 and therefore, according to the return inclosed, the deficiency to be raised is 547. There are however, one or two corps besides these I have mentioned, not acting immediately with this part of the army, in which there may be some men belonging to this state, and I consider it as an unlucky circumstance, that I have not such return of them in my possession as will ascertain the point and the credit to which the state may be entitled in consequence.

Major Lee's corps is the one in which it is most likely that there are some men under his discipline, and I have written to him or the commanding officer of his corps, to furnish your Excellency, without delay, with a particular state of them. If it should be the case, I also expect returns of one or two more other corps in the course of a few days, when if there are any men in them belonging to the state, I shall take the earliest occasion to communicate it and their number. I have thought it more advisable to transmit the present return than to delay it till those of every little detached corps could be collected, as the wants of those, admitting there should be a few men belonging to the state in some of them, can make no material difference with respect to the deficiency to be levied: and as the postponing the business on that account would interfere essentially with the views of Congress, and indeed entirely defeat them, as to the time assigned for the recruits taking the field. At any rate this must be found too short for those of those of the more remote states, especially where their legislatures are to be convened. I would observe, before I conclude, that this return bears the fullest number of men under every description that the state can have in her three battalions, and the other corps which it comprehends; and they would most probably be found, if an actual inspection could take place, to fall a good deal short of the complement, as there is always a material difference between an army on paper, and its real efficient strength.

A comparative view between the total of an army as

borne upon every general return and the column of present fit for duty and the absentees that can be satisfactorily accounted for, demonstrates this beyond question.

I have the honor to be with the highest respect and esteem, your Excellency's most obed't serv't.

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From Chief Justice Symmes to Governor Livingston.

Morristown, February 14th, 1780.

SIR,—I beg leave to trouble your Excellency, and the honorable gentlemen of the legislative Council of the state, with a subject which has for some time past given me much concern.

Application has been made to me, as a magistrate of the state of New Jersey, for a redress of wrongs by soldiers in the continental army, from this and one other state, who say that they are aggrieved by being denied a discharge, after a term of three years, for which they had enlisted, had expired. And that they are obliged, with some aggravating circumstances, to continue yet in the service, which they consider as very discouraging and oppressive.

I would by no means, sir, be understood as insinuating anything to the prejudice of the gentlemen officers of the Jersey or any other line in the American army; no man can be more ready than I am to allow them the merit which they are so justly entitled to from

every citizen of the United States. But, sir, I must say, and am sorry for the occasion, that I believe that there is some misunderstanding between the officers and their men, which has unhappily worked itself into the camp, by one means or other. I believe this to be one, viz: as numbers of the privates now in the service were not enlisted by any one officer at this time belonging to the lines, the officer (who enlisted the soldier) upon his resignation or discharge, has on oath turned over the soldier to the officer who succeeded him, as having enlisted during the war; the present officer believes it to be the case, and is now hardly persuaded that the fact is otherwise.

I know not, sir, what to do in the affair, the matter is of the utmost delicacy; for me to interfere at all may be attended with some bad consequences. It would seem to call in question that superiority of the officer over the soldier which is vital in an army. To reject the complaint of the soldier altogether would be undoubtedly a denial of that justice which is the right of every subject, viz., to be heard with respect to the merits of his cause, where the magistrate is allowed to have jurisdiction. I am warranted to say, sir, that so great is the discontent amongst some of the troops, arising from this source, that many have already deserted, and others say publicly in the streets that they will go over to the enemy, if they are denied that justice which is their due.

I beg leave only to add, that it is my full belief that the matter is by no means unworthy the attention of

your honorable House; but that it calls in an eminent manner for the speedy direction and inquiry of the legislature of the state.

I have the honor to be, sir, your Excellency's most respectful and devoted humble servant,

JOHN CLEVES SYMMES.

His Excellency, Governor LIVINGSTON.

From Abraham Clark to Caleb Camp, Speaker of the Assembly.

Philadelphia, February 7, 1780.

SIR,—The convention for regulating prices, have adjourned till April, and I fear the atttempt will prove abortive. Virginia seems to hang back; no members have attended from thence, and as far as I can learn none have been appointed, and their legislature stands adjourned till May. I shudder at the prospect before us; a vigorous war to prosecute, while our money, reduced almost to nothing, is still depreciating with rapidity. The current exchange here between hard money and paper is from 45 to 50 for one. In the market a paper dollar is estimated at present at one penny, and will soon be less than a half-penny in all probability.

Congress have now under consideration the apportionment of supplies for the army, to be required of each state the present year. Our quota at present stands at 18,000 hundred weight of beef or pork, 10,000 barrels of flour, 3,758 bushels of salt, 3,500 tons of hay, 30,000

bushels of corn, oats or buckwheat. The estimate of prices is as follows: Flour 4½ dollars per hundred: summer fatted beef 5½ dollars per neat hundred: fall fatted do. 6½ dollars: stall-fed, killed after January, 7½ dollars: fresh pork, 7 dollars per neat hundred: salt pork, 22 dollars per barrel containing 200 lbs.: salted beef 17½ dollars per barrel containing 240 lbs.: Indian corn ⅓ dollar pr bushel: oats ⅐: rye 1: buckwheat ⅓ dollar pr bushel: best crop hay, 16 dollars pr ton: rum 1½ dollars per gallon: salt 3 dollars pr bushel.

For my part, I dislike the plan altogether, as purchases ought to be made where most convenient, having regard to the places where they are to be consumed, and the prices in the several states, which must depend upon the seasons in them: but I am assured the plan is agreeable to the wishes of our legislature, by whose opinion I shall always be governed. The salt, I fear, will be procured with difficulty in our state, but as the prices above are all estimated in specie, and that article set at 3 dollars, I dare not refuse it to our state specially as other states wish for that article, and offer to take it from us in exchange for flour or other provisions at the estimated prices: but as salt is much higher estimated than any other article, I think we may exchange provisions for it to much greater advantage, by private contracts: or perhaps by promoting the manufactory of iron on public account, we may procure that article of salt in exchange for iron, and save our provisions. In case our legislature shall desire to be freed from procuring the salt, by taking upon them the supply of other

articles equivalent in value as estimated, by signifying their pleasure thereon, I am persuaded the matter can be effected.

Thus far I had wrote before Congress took up the business of supplies this day. They had before gone through the quotas, and now took into consideration the prices as reported by the Committee, and have agreed to the price of flour as above mentioned; the next under consideration was the price of beef, this is not finished, but will I believe pass agreeably to report, many of us would be willing to alter some articles, did we not see that it would derange all we had before done without any material advantage, so that the prices I have mentioned, though only as reported from a Committee from each state, will, I believe, be agreed to. Should any material alteration take place so as to effect our state, we shall attempt a reconsideration of quotas.

I am, with all due respects to the General Assembly, your obedient and humble servant,

ABRA. CLARK.

CALEB CAMP, Esq., Speaker.

From General Washington to Governor Livingston.

Head Quarters, Morristown, February 26th, 1780.

DEAR SIR,—I was last night honored with your Excellency's letter of the 22d. I had on the 20th transmitted you as accurate a return as could then be obtained of the number of men serving in the three battalions of the state, and in the additional corps. I

have since received a return of Major Lee's corps dated the 20th December last, in which I find fifty non-commissioned officers and privates belonging to the state. That number is therefore to be deducted from the deficiency struck in my letter of the 20th.

I have the honor to be, with the greatest esteem, your Excellency's most ob't serv't,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From Samuel Huntington, President of Congress, to Governor Livingston.

Philadelphia, March 20th, 1780.

SIR,—Your Excellency will receive herewith enclosed an act of Congress of the 18th instant calling upon the several states to bring in the continental currency by monthly taxes or otherwise, as shall best suit their respective circumstances, in proportion to the quotas assigned to each state, by the resolution of the 7th of October 1779, and making provision for other bills to be issued in lieu thereof under the regulations and restrictions mentioned in the act.

This act is the result of much labor and deliberation, as the happiest expedient that could be adopted to extricate these states from the embarrassments of a fluctuating medium, and at the same time in some measure afford the necessary means for supporting the ensuing campaign.

You will readily perceive the importance of this

measure and the indispensable necessity of unanimity in the states in conforming thereto. It is requested that there may be no delay in taking this act under consideration, and that the Assembly, if not sitting, may be convened as soon as possible for that purpose, and that the laws that may be enacted in pursuance thereof be transmitted to Congress without delay. The new bills will be struck under the direction of the board of Treasury and sent to the several states in due proportion. You have also enclosed an act of Congress of this day recommending the revision of such laws as may have been passed making the continental bills a tender in discharge of debts, &c.

I have the honor to be, with every sentiment of esteem and respect, your Excellency's humble servant,

SAM. HUNTINGTON, Pres.

His Excellency, Governor LIVINGSTON.

From William H. Houston to Governor Livingston.

Philadelphia, May 22d, 1780.

SIR,—I have the honour to enclose for the use of the Legislature a Boston paper of the 8th inst. which I have this day received by post, containing the act of the legislature of the state of Massachusetts bay on the proceedings of the 18th March last relative to finance. I think it my duty to communicate every thing on this subject which comes to my hands, as to me the matter appears of the most indispensable importance; but shall not detain further upon it, having already explained

myself pretty fully. I only beg leave to observe that if I had not thought the interest of the state deeply concerned, I should not have been so explicit, especially since I have heard that a variety of sentiments prevails among those who are certainly capable of judging. This has aroused my caution, but upon a careful review of the whole subject, and examination of all I have read and heard, I must still venture to say that something is necessary to be done, and that no expedient appears to me so promising and advisable, every circumstance considered, as the one now in question. By communicating the several acts as I receive them, I do not expect that the Legislature will be so much influenced by example as assisted in framing a law on the subject. It may indeed be matter of encouragement that the measure is elsewhere adopted, but as one state cannot be injured by adopting it before another, but rather the contrary, there can be no objection to take early rank in this instance.

I have heard it alledged that these resolutions involve a breach of faith. Though no such thing appear to me, yet if by any construction it is inferred, it will probably operate to induce the Legislature to leave out the comparison between specie and the present bills, and retain only that between the latter and the new bills to be emitted. How far this will be an effectual provision I pretend not to determine, the consequences may be examined, and it is of the highest moment to weigh them.

Lest it should escape the recollection of the Legisla-

ture, I take the liberty to mention that the embargo act continued the 25th of December last in consequence of a recommendation of Congress of the 15th of the same month was limited to the first of April last. The expected events of this campaign, the present state of provisions, the prospects of the coming crop, far from being so favorable as could be wished, all conspire to urge the propriety of reviving and continuing that act. The matter was lately agitated in Congress, but as no instance of exportation was known, except from Delaware, and it was said the embargo was in force in the other states, a resolution was extended no farther than Delaware. We did not mention New Jersey, because there was no doubt the Legislature on adverting to the circumstances above mentioned would take the necessary measures.

The state of Pennsylvania has applied to Congress for direction with respect to the propriety of receiving the certificates given in the staff departments in the payment of taxes. As I see the highest probability the measure will be approved and recommended, I take the liberty to apprize the Legislature. I see no prospect of any other answer to the address and representation of the 15th of March last, and am of opinion that time need not be lost in waiting to hear from Congress. No means in the power of the delegates of the state have been omitted to obtain some other mode of discharging the debts due to the inhabitants, and avoiding the necessity of resorting to this expedient, but without effect.

The proceedings of Saturday last you have ere now

received. I doubt not the President has suggested the propriety of secresy, for though these things are noising abroad, they are surmises without information. I speak particularly of the contents of the letter. The occasion is highly interesting, and the improvement of it may be attended with the most happy consequences.

I have the honour to be your Excellency's most obedient and humble servant,

WILLIAM H. HOUSTON.

From General Washington to Governor Livingston.

Head Quarters, Morristown, June 2d, 1780.

SIR,—By the letter from the honorable the committee of Congress at Morristown, which this accompanies, your Excellency will find that those gentlemen and myself after maturely considering the matter, deem it essential to the success of the measures in contemplation to be carried on against the enemy, to call on the states for certain aids of militia in addition to the requisitions for men already made; and that they should be at the places of rendezvous appointed by me, by the 15th day of next month. The aid requested in this instance of your state is founded on a principle of appointment common to all the states from New Hampshire to Maryland inclusive (the others on account of their distance and the operations in the southern quarter, not being now called on,) and is stated at nine hundred and forty five, rank and file. This number of militia, well armed and equipped in every other respect

for the field in the best manner circumstances will admit, under proper officers, I wish to be at Morristown at the time mentioned by the committee, which appears to me a suitable place for their rendezvous, in the first instance, and from whence they will proceed on my orders as occasion may require. It will also be material, on account of disciplining and organizing the men, as well as on account of public economy, that they should be formed into full regiments. If this is not done, it will render our arrangements extremely difficult and irregular, and will add, by greatly increasing the number of officers, very considerably to the public expense. I would beg leave to observe that I think the whole number of militia requested from your state should be comprised in two regiments.

This additional aid will not, I trust and earnestly entreat, impede in the smallest degree the filling up the regiments of the state by drafts to their full complement as requested by the honorable the committee in their letters of the 25th ultimo.

This is a point of such great importance, so absolutely essential to give the least prospect of success to our operations, and indeed on which they depend, that I could not forbear mentioning it. If the regiments are completed by drafts, it is possible our demand for militia may be a good deal diminished, but this must be governed by events, and therefore for objects so very interesting, so important as those to which we at present look, we should provide whatever may be possibly requisite.

I have the honor to be, with great respect and esteem, your Excellency's most obe't and hum. serv't,

G° WASHINGTON.

His Excellency, Gov'r LIVINGSTON.

From William H. Houston to Governor Livingston.

Philadelphia, Sunday June 4th, 1780, 12 o'clock at noon.

SIR,—A Mr. William Finnie from Williamsburg, in Virginia, is just arrived in town, and brings the following intelligence. That when he was at Baltimore, in Maryland, on his way to this place, a number of letters came to sundry persons there, from Richmond, the capitol of Virginia, informing that Charlestown capitulated on the 12th ultimo. The news is mentioned to come by an express from Governor Rutledge of South Carolina to Congress, who was ordered to call on his route and deliver dispatches to Governor Nash of North Carolina, and Governor Jefferson of Virginia. This is supposed to be the reason he has not yet reached Philadelphia. No particulars are mentioned. The speculators, whose riders travel day and night on such occasions, generally precede the publick expresses. By a letter of 31st ultimo from General Washington, I find the capture is credited at head quarters. What to say against report so confirmed I am at a loss. The probability certainly is against us. Nothing but official certainty remains to be expected. If the event has taken place we may hourly expect this, as the express

cannot be far off, unless some extraordinary accident has befallen him. I do not like to believe bad news, but we ought to be prepared for it.

The reflections which first present themselves are, that no greater stroke has befallen us since the commencement of the war, and none which has required more active, thorough exertions to recover and repair it, than this will. It is not said on what terms the garrison capitulated, but in all likelihood they cannot be more favorable than prisoners of war. Their service is lost to us, probably for the campaign. The finances evidently mending, will be thrown aback, and without a speedy execution of the system of 18th March, perhaps return to wilder disorder than ever. No subject whatever requires more attention, for money will be more necessary than ever. The effect upon the army, as well as upon the people, will too probably be dispiriting, especially at first; but may be directly opposite, after a little reflection, if the publick movements can all be made to draw together, and no chasm or derangement happen before their thoughts and views have time to collect and accommodate themselves to the exigency. Bold councils are the best in precarious times. I would submit to the legislature whether if this intelligence turns out fact, it would not be best to vest in the Governor and Privy Council, or a greater quorum if more proper, powers suited to the cast of the occasion. The capture of Charlestown and the arrival of a French fleet, should it happen, both require it. The utmost reach of the powers of the state will be

necessary in a model which can be speedy and effective in execution, either to provide against great evils or to attempt great objects. The legislature of Pennsylvania which adjourned last Thursday, before this news appeared in any shape, considering the greatness of the crisis, empowered the Executive to proclaim and establish martial law in case of necessity during the recess of the Assembly, for limited periods. The Assembly has adjourned to September next. A special council composed of members of both Houses might be more agreeable to many, but I say nothing of the form, only have taken the liberty to say thus much concerning the thing itself. A correspondence between such body and the delegates in Congress for the state, might be of great use to the state, should the legislature be unanimous in adopting the measure so as to give it weight with the people at large.

It also occurs that early and effectual attention ought to be paid to the state, and preparation of the militia. Great part of the enemy's troops will return to New York immediately on the reduction of Charlestown, though if they knew their true interest they would all leave New York and go to the southward. In the event of their coming back, their disposition to mischief is too well known to believe that they will be pacific toward New Jersey. It is not a far sought reflection that this disaster, though great, is not matter of despondence. Mortals see not futurities, and who can say that Heaven does not mean this to precede something more important to us than it is to the enemy. Things much more unexpected have happened.

The enemy must commit themselves on the ocean before they can appear at New York. Perhaps it is best; history and experience say, that young nations as well as men, are less able than those of riper age, to bear that prosperity which is not dashed with some sharpness of misfortune. These things fulfil the end of God's government, where partial evil is general good. We pity our suffering brethren, but no man despairs of the republick.

I am your Excellency's very obedient servant,

WILLIAM H. HOUSTON.

From William H. Houston to Governor Livingston.

Philadelphia, June 5th, 1780.

Sir,—You will receive enclosed two resolutions of Congress which have doubtless already gone from the President in the ordinary course of communication. But as papers sometimes miscarry, thought it not amiss to repeat them. That relative to deserters will certainly be of moment, should any French troops or the troops of any allied or co-operating power, ever be landed on the American shores for the purpose of giving assistance in the prosecution of the war. The laws relative to desertion will easily be extended to secure and return them. This is not only the duty of an ally, but it is our interest in many respects and no objection that I know of can be taken to it.

The other, relative to the defence of the interior frontiers against the incursions of the savages is im-

portant to us. I understood, when lately at Trenton, that there was a bill before the legislature for embodying a number of militia to protect the upper settlements. That no hesitation may hereafter be made relative to the allowance of continental pay and rations it would be well to take the step New York has taken, and obtain the approbation and engagement of Congress or the commander-in-chief,—either will be sufficient. Every one must be convinced of the necessity of supporting the settlements over the mountain; for if they are obliged to remove, double if not treble the number of men will be necessary to secure the country against impressions, and after all it will not be so effectually done in this as in the other mode.

The post established in Ulster will be of advantage in the general protection, and the legislature will be able to determine in what degree we may be benefited by it. In the resolutions of 4th April last is mentioned the body of men to which this of the 1st inst refers.

I have the honor to be, with due regard, your Excellency's very obedient h'ble servant,

WILLIAM H. HOUSTON.

From Ph. Schuyler, Chairman, &c., to Gov. Livingston.

In Committee of Congress, Morristown, June 12th, 1780.

SIR,—We have the honor to enclose you a copy of a letter addressed to us by the commander-in-chief. The contents will advise you to what an alarming crisis our affairs are reduced. The General observes with

great propriety that this committee "need no arguments to evince the danger." Indeed we do not, our own observations have led to the fullest conviction that unless the force stated in our second letter of the 25th ultimo is drawn into the field with celerity equal to the urgency of the occasion, the period which is to end our liberty and commence the most disgraceful state of slavery which human nature has ever experienced, is not far distant. But dark and gloomy as the prospect is, America has it in her power to dispel the cloud by those exertions of which she is abundantly capable, and to which it is her duty to rouse from every consideration which can affect the human heart

We are most indubitably possessed of the means wherewith to expel the enemy from every part of the continent, but it requires a display of that virtue which distinguished the citizens of Rome when their state was, as ours now is, on the brink of ruin, and we trust Americans, impressed with a proper sense of the blessings of peace, liberty and independence, will follow the bright example, and evince to future ages what great minds are capable of when driven to the extremity of distress.

We dare not suppose, sir, that efficient measures have not been adopted by your state to complete your battalions to the establishment recommended in the letter above referred to. On the contrary, we believe that the men are raised or raising, but we have to conjure you to hasten them on to the army without a moment's delay. We intreat you likewise to give the most pointed

direction to induce an unremitting attention to forwarding the supplies alloted to your state,—to be furnished as specified in our letter of the 2d instant.

Had the enemy on Wednesday last pursued what we generally believed to be their object, our heavy cannon and stores would inevitably have fallen into their hands, as our military force was incompetent to their protection, and the means of conveying them to places more distant for want of horses and carriages, out of our power.

Since writing the above, a second letter from the General has been handed us, a copy whereof we enclose. Previous to our recommendation to complete the battalions to 504 rank and file, we had a conference with the General on the subject, in which the matter was thoroughly canvassed and the necessity of the augmentation clearly evinced.—The reduction of Charlestown was then still problematical, we had even hopes that it would have been saved, and the Maryland and Delaware lines have returned to this army, which then, with the quota requested of the states, would have amounted to about 25,000 men, the number which Congress had promised our illustrious ally should be brought into the field to co-operate with her troops. It is now believed that Charlestown is reduced, and the troops which defended it prisoners, consequently we shall certainly not have the Maryland and Delaware troops; hence those in this quarter will be less by nearly three thousand men than estimated, and we therefore most earnestly intreat that no reduction may be made from the numbers we have stated as necessary.

We are, with great respect and esteem, your Excellency's most ob't and h'ble servant,

PH. SCHUYLER,
Chairman of the Committee.

His Excellency, Governor LIVINGSTON.

From General Washington to a Committee of Congress, enclosed in the foregoing.

Morristown, May 25th, 1780.

GENTLEMEN,—I have attentively considered the circular letter to the different states which you did me the honor to communicate for my perusal, and I am happy to find that my ideas perfectly correspond with those of the committee.

The view they have given of our situation is just, full and explicit. The measures they have recommended are well adapted to the emergency, and of indispensable necessity. I very freely give it as my opinion that unless they are carried into execution in the fullest extent, and with the greatest decision and rapidity, it will be impossible for us to undertake the intended co-operation with any reasonable prospect of success.

The consequences you have well delineated. The succour designed for our benefit will prove a serious misfortune, and instead of rescuing us from the embarrassments we experience, and from the danger with which we are threatened, will in all probability precipitate our ruin. Drained and weakened as we already are, the exertions we shall make, though they may be

too imperfect to secure success, will at any rate be such as to leave us in a state of relaxation and debility, from which it will be difficult if not impracticable to recover.

The country exhausted, the people disappointed, the consequence and reputation of those states in Europe, [impaired] our friends chagrined and discouraged, our enemies deriving new credit, new confidence, new resources—we have not, nor ought we to wish an alternative. The court of France has done so much for us that we must make a decisive effort on our part. Our situation demands it—'tis expected. We have the means of success without some unforeseen accident, and it only remains to employ them. But the conjuncture requires all our wisdom and all our energy. Such is the present state of this country that the utmost exertion of its resources, though equal, is not more than equal, to the object, and our measures must be so taken as to call them into immediate and full effort. There is only one thing I should have been happy the committee had thought proper to take upon a large scale. I mean the supply of men by draft. Instead of completing the deficiencies of the quotas assigned by the resolution of Congress of the 9th of February last, it would in my apprehension be of the greatest importance that the respective states should fill their battalions to their complement of five hundred and four, rank and file. Considering the different possible dispositions of the enemy, and the different possible operations on our part, we ought not to have less than twenty thousand continental efficient troops. The whole number of battalions from

New Hampshire to Pennsylvania inclusive, if complete, would not amount to this force. The total would be twenty three thousand one hundred and eighty four, rank and file, from which the customary deductions being made, there will not remain more than about eighteen thousand fit for the service of the field. To this may be added the remainder of the sixteen regiments, amounting to about one thousand.

Unless the principal part of the force be composed of men regularly organized, and on the continuance of whose services we can rely, nothing decisive can be attempted. The militia are too precarious a dependence to justify such an attempt, when they form a material part of the plan.

Militia cannot have the necessary habits nor the consistency, either for an assault or a seige. In employing them essentially we should run a risk of being abandoned in the most critical moments. The expense and the consumption of provisions and stores (which we are bound by every motive to economise) will be very considerably increased. As we should not be able to keep the same body in the field during the whole campaign, we should a great part of the time have a double set of men to pay and feed,—those in actual service, those on the march to relieve them, or returning home when relieved. The operations of husbandry will suffer in proportion. The mode by a draft is, I am persuaded, the only efficacious one to obtain them in time. Nor can the period you have appointed for bringing them into the field be delayed

without defeating the object. I have little doubt that at any time, and much less at the present juncture, the powers of government exerted with confidence will be equal to the purpose of drafting. The hopes of the people, elevated by the prospects before them, will induce a cheerful compliance with this and with all the other measures of vigor which have been recommended and which the exigency requires.

I have entire confidence that the respective legislatures will be fully impressed with the importance and delicacy of the present juncture, and will second the views of the committee by the most speedy and vigorous efforts.

With every sentiment of respect and esteem, I have the honor to be, gentlemen, your most obed't and h'ble servant,

G° WASHINGTON.

The hon'ble the Committee of Congress.

From Samuel Huntington, President of Congress, to Governor Livingston.

Philadelphia, June 15, 1780.

DEAR SIR,—Congress repeat their applications to your state. They would willingly hope that their former representations have not been ineffectual, and that the states are pursuing measures to enable our armies to take the field with a force superior to that of the enemy, and with such ample supplies of provision as will not only maintain them in plenty, but enable the

commander-in-chief, if necessary, on any extraordinary occasion to avail himself of the aid of the militia, but upon these hopes Congress dare not rely. Every moment presses. It is necessary they should have the most explicit assurances not only that their requisitions will be complied with, but that such compliance will be as immediate as the public wants are urgent. The letter from our committee at head-quarters to you, state those wants without exaggeration. They state some facts, and leave to your government to supply others, which it would have been improper to commit to paper. The object of this address is to enforce their requests, and to entreat you not to repose your safety upon the spirit and vigilance of others, while any means within your own power are left untried. The present occasion calls for the united force of America. It gives us great consolation that, notwithstanding the great difficulties in which we are involved, the resources of the states, if speedily applied, are sufficient to relieve us from them. Every state in the Union is bound by the strongest obligations to afford us their aid, and we trust that at this critical emergency, no present ease or convenience of individuals will be put in competition with the lasting happiness of millions. That the rulers of states will not hesitate to exert their utmost authority, and that the people have too much understanding to refuse a temporary submission to such vigorous exertions as are necessary to secure them from continued oppression, and established tyranny.

A Common Council involves the power of direction,

Let not our measures be checked or controled by negligence, or partial views and interests of separate communities while they profess to be members of one body. Too long have the dearest interests of America been sacrificed to present ease. Too many of us have slept in false security. Let us awake before the season for successful exertion is passed. Judge you whether the loss of Charlestown, and the situation of your grand army do not call for every spirited effort. The objects which claim your immediate attention are clearly pointed out by the Requisitions of Congress, and their committee at Head-quarters. Let them be complied with. Enable us to co-operate vigorously with the fleets and army of our ally, and we may reasonably hope, through the blessing of Divine Providence, for a speedy and happy determination of a controversy which is to give freedom and independence to our country.

By order of Congress,

SAM. HUNTINGTON, President.

His Excellency, Governor LIVINGSTON,

From the Committee of Co-operation to Governor Livingston.

In Committee of Congress,
Morristown, June 19th, 1780.

SIR,—We enclose you a copy of General Washington's letter to us of this day.

We have in our former letters dwelt so forcibly on the several matters contained in the general's letter, that it is

unwelcome, almost unnecessary, for us to say anything more on them. But when we consider the season for operation wears fast away: the small force we now have in the field, being still fed in a scanty and uncertain mnnner: the hourly expectation of the fleet and army of our ally on our coast, and that the commander-in-chief, as well as ourselves, are as yet totally uninformed what are to be our expectations, on the subject of our former letters:—be assured, sir, we feel an anxiety congenial with his. You will therefore, we are persuaded, pardon us for being thus solicitous, when we again entreat you, in the most earnest manner, to use every exertion in your power to engage your state, to a speedy and decisive compliance with our former requisitions. The two points we would wish to press most forcibly on yours and the minds of the legislature of your state are, the immediately forwarding your quota of troops necessary to complete your battalions in the continental army, and the supplies of provisions agreeable to the estimates inclosed you in our letters of the — instant. At the same time we would not wish you to consider any part of our former requisitions as become in the least degree unnecessary; on the contrary, we are now strongly convinced that they are already as small as the important objects in view can possibly admit of. We may mention the two first as the most immediately and indispensably necessary. For reinforced as the enemy now are, by the return of their troops from the reduction of Charlestown, we momently expect an attack will be made on our weak

and almost resistless army. Should this event happen whilst in this state, we seriously dread the result.

From the well known indefatigable attention of your state, to the welfare of the United States, we cannot entertain a doubt of its exertions at this interesting conjuncture; and we most earnestly entreat you, to give us the earliest information of the final determinations of your state on the subjects of this and our former letters.

We are, sir, with the highest respect, yr most obed't servts,

JNO. MATTHEWS,
NATH. PEABODY.

His Excellency, Governor LIVINGSTON.

From General Washington to the Committee of Co-operation.

Head-Quarters, Springfield, June 19th, 1780.

GENTLEMEN,—I have received information which, though not official, I deem authentic, that some of the states have taken up the measure of augmenting their battalions by a draft on a less extensive footing, than was urged in your circular letter of the 25th of May. Though I wish to pay in every instance implicit deference to the determination of the respective states, I think it my duty, in the present crisis, once more to declare with freedom, that I conceive the measure of filling our battalions to their full complement, fundamental to a full co-operation upon a large scale. That

anything short of this, will infallibly compel us to confine ourselves to a mere defensive plan, except as to some little partial indecisive enterprises against remote points, and will of course disappoint the expectations of our allies, and protract the war. The force which has been stated as necessary is as small as can give us any prospect of a decisive effort. If it is not furnished, we must renounce every hope of this kind. It remains with the states to realize the consequences.

I have the honor to be, with the greatest respect and esteem, gentlemen, your obed't ser't,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From General Washington to the Committee of Co-operation.

Head Quarters, Springfield, June 20, 1780.

GENTLEMEN,—From the vast importance of the things, I hoped I should have been informed before this of the measures which the several states meant to adopt in consequence of our late requisitions, but as I have not, I am certain you are unadvised yourselves, and have only to lament with you the delay. This is a point of primary consequence. We are now arrived at the period when we may momently expect the fleet from France. For want of information it has been impossible for me to digest a system of co-operation. I have no data on which to proceed, and of course were the armament to come, I should find myself in the most

delicate, embarrassing, and cruel situation. The French commanders, from the relation in which I stand, the instant they reach, our coast will look to me for a plan of the measures to be pursued, and I ought, of right, to have one prepared. But I cannot even give them conjectures. The interests of the states, the reputation of their councils, the justice and gratitude due our allies, a regard for my own character, all demand, that I should, without delay, be enabled to ascertain and inform them what we can or cannot undertake. Besides there is a point now to be determined, on which the success of all our future operations may turn, which for want of knowing our prospects, I am altogether at a loss which course to pursue.

To avoid involving the fleet and army of our allies, in circumstances which, if not seconded by us, would expose them to material inconvenience and hazard—I shall be obliged to suspend a step, the delay of which may be fatal to our hopes; I therefore beg leave to suggest to the committee the indispensable necessity of writing again to the different states, urging them to give immediate and precise information of the measures they have taken, the success they have had, and the probable result of them.

I have the honor to be with great respect and esteem gentlemen, your most obe't ser't,

G° WASHINGTON.

Hon. Committee of Co-operation.

From General Washington to the Committee of Co-operation.

Head-quarters, Rockaway, June 20, 1780.

GENTLEMEN,—The enemy are now in full force, bending their march towards Morristown, and by my last advices, had advanced beyond Springfield. They were vigorously opposed by our advanced corps. But what could the valor of a handful do against so infinite superiority of numbers? The enemy can effect any particular object they may attempt. Besides the army they can have no other in this state than our stores. As we cannot defend them we must endeavor to remove them. I am so entirely engaged in attention to our military operations, that I must entreat you to write to the Executive of Pennsylvania and Jersey pressing them to bring out all the wagons they can to our relief. An application has been already made to Pennsylvania for two hundred and fifty wagons, these ought to be instantly furnished.

But we do not know what may be the ultimate designs of the enemy; all we know is that they are very strong, and that we are very weak. I beg leave to recommend that the states may be again called upon to redouble their exertions to comply with the demands that have been already made upon them. It is essential to our immediate safety, to say nothing of the expected co-operation. If she means to be free this is the moment for America to exert herself.

With every sentiment of esteem, I have the honor to be, gentlemen, your must h'ble serv't,

G° WASHINGTON.

Hon'ble Committee of Congress.

From the Committee of Co-operation to Governor Livingston, enclosing the foregoing.

In Committee of Congress, Morristown, June 23d, 1780.

SIR,—Impressed with the necessity of giving you the earliest information of every important occurrence, we therefore inclose you a copy of a letter from the commander-in-chief this moment received.

From the accumulated distresses of our army which we are daily spectators of; from the jeopardy we have twice seen them in, and from the fatal consequences that must have resulted from a defeat (which would inevitably have been the consequence, had the enemy at first, and still will be should they even now pursue their object.) We are constrained again to call on you in the most pressing manner, to forward your quota of men and supplies agreeably to our estimate of the 2d instant, and prevent the total sacrifice of the few brave and intrepid spirits that at present compose our army, and avoid the indelible stain that must consequently be fixed on these states, should such an event take place.

That part of the General's letter respecting the state of the stores here, is a matter of such pressing necessity that we conceive it to be our duty to give the earliest

attention to it. The situation of the magazines at this point is truly deplorable, the enemy are certainly pushing at them, and we are in no condition to move them for want of teams ; if they do not effect their purpose at this time it is evident they mean to persist until the situation of our affairs renders it necessary for the remains of our army to move from hence, when there will be no impediment to the execution of their plan. We therefore hope, sir, you will enable the officers of the departments to improve this interval so as to effect their removal to a place of greater safety by having the teams which are requested of your state immediately sent forward.

We have the honor to be your Excellency's most ob't and h'ble serv'ts,

JNO. MATTHEWS,
NATH. PEABODY.

From the President of Congress to Governor Livingston.

Philadelphia, June 29th, 1780.

Sir,—The urgent necessity of drawing into the public treasury the ten millions of dollars mentioned in the act of the 19th May was so fully pointed out, that Congress exceedingly regret the failure of this necessary supply ; the conjuncture is already arrived when it is become essential not only to the operations of this campaign, but to the very existence of the army.

Congress therefore can no longer delay reiterating

the most importunate solicitations that the proportions of each of the states be forwarded immediately. For this purpose they have dispatched a special messenger, and they trust he will not meet with disappointment. A further sum must also be speedily had or it will be impossible for the operations to proceed. Congress have therefore drawn on those states for the remainder of their quotas to the first of March last inclusive, and it is their duty to conjure the several states, if they should still be unprepared, that they will at all events transmit their arrears to the period last mentioned to the continental treasury within thirty days from the date of the warrants.

The monthly estimates of money heretofore made were but barely sufficient at that time; their value has since greatly diminished, and the payment has been delayed long after it became due. These circumstances have already involved our affairs in much perplexity and driven to expedients which nothing but the last necessity could justify. Permanency and arrangement in the public finances must at every hazard be introduced and supported.

In this view Congress do again with the most earnest solicitude press on the several states the necessity of vigorous and decisive measures for carrying into full and immediate execution their resolutions of the 18th March last:—the doing which, at the same time that it places public credit on the surest basis, will in the course of the year give all the relief that could possibly result from a further emission equal to the whole that is now

in circulation. These resolutions Congress are persuaded are every day better understood, and that upon giving them their full effect very much depends the final establishment of our liberties.

It is unnecessary that Congress should suggest to the several states the expediency of providing by loans against any deficiency they may have reason to apprehend from their taxes.

The blank bills for the several states will be forwarded as fast as the acts of their Assemblies providing funds for them are transmitted to Congress.

By order of Congress,

SAM. HUNTINGTON. Presid't.

His Excellency, Governor LIVINGSTON.

From General Washington to Governor Livingston.

Head Quarters, Ramapaugh, June 30th, 1780.

SIR,—As the levies required of the states for filling their battalions have not yet joined the army, or the French fleet arrived, I beg leave to inform you that it will be unnecessary for the militia which the honorable the committee of Congress were pleased to call for on a late occasion to be at the place appointed for their rendezvous before the 25th next month. By this time I would willingly hope that things will be in such a train as to enable us to commence our operations and to make their aid essential. The present crisis is by far the most important and delicate that this country has ever experienced, and it pains me in the extreme

that we are so backward in all our measures. I hope a moment will not be lost in pushing on the levies to fill the battalions. Our allies would be chagrined were they to arrive to-day, to find that we have but a handful of men in the field, and would doubt, it is more than probable, whether we had serious intentions to prosecute measures with vigor. If we do not avail ourselves of their succour by the most decisive and energetic steps on our part, the aid they so generously bring may prove our ruin, and at best it will be in such case among the most unfortunate, next to that of absolute ruin, that could have befallen us. I think it my duty, as often as I have the honor of addressing the states, to forewarn them that the completion of their battalions to their full complement of five hundred and four, rank and file, is a measure of indispensable necessity to the intended co-operation, and that without it we cannot even attempt any thing decisive.

I have the honor to be, with the greatest respect and esteem, your Excellency's most ob't and h'ble servant,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From the Secretary of the Board of War to the Governor.

War Office, July 7th, 1780.

SIR,—The board have the honor to inform you that there are two able fortified four-pounders at Carlisle belonging to your state,—which were removed thither in

the campaign of 1777, when the enemy invaded Pennsylvania,—now ready to be delivered to your Excellency's order.

The carriages belonging to these pieces are not in very good order, though quite sufficient for their transportation to the Jerseys.

I have the honor to be, with high respect, your Excellency's most obedient servant,

By order,

BEN. STODDERT, Sec'y.

His Excellency, Governor LIVINGSTON.

From the Committe of Co-operation to Governor Livingston.

In Committee of Congress, Camp Tappan, August 16th, 1780.

SIR,—Inclosed you will receive copy of a letter of the 15th instant from the Commissary General. Circumstanced as our army at present is, the information contained in the letter becomes truly alarming. It requires the utmost attention of the officers, together with all the necessaries and even comforts of life, to render the service acceptable to recruits, and as the greater part of the army at present consist of that class of men, if the time should unhappily arrive when we will be reduced to the necessity of putting them on half allowance of provisions, or probably have none to give them, the consequence must be that those men, unaccustomed to endure this species of distress, and not brought to that state of discipline which can give

their officers that control over them they have acquired over the old soldiers, must revolt at the idea of tamely submitting to a service when, divested as they are of every other privilege the soldiers of all armies are entitled to and are furnished with, they cannot receive even the means of subsistence. If reduced to the extremity I have just mentioned, and an irreconcilable disgust should once take place among these men, and desertions (or perhaps something worse) begun, the infection will beyond a doubt pervade the whole army. For it is not to be expected that the few old soldiers now remaining will be disposed to go on, enduring the calamities they have so often experienced, when they find others equally bound with themselves, and who have as yet had none of those difficulties to encounter, manifesting so refractory a spirit at what they will conceive to be trifling, compared with their own sufferings. Should such an event take place, the train of ruinous consequences that will inevitably ensue, must at once strike you so obviously as to render unnecessary my entering into a detail of them. We do therefore earnestly request of you, sir, that the officers of your state appointed to procure and forward the supplies may be called on in the most urgent manner to give their utmost attention to the important business of keeping the army regularly supplied with your quota of the articles that have been assigned to your state. As you must plainly perceive, what embarrassments the least remission on the part of the states or any of them must throw us into. For it must be remembered that

the monthly supplies are no more than what is barely necessary for the consumption of the army in the time.

It is true that the army does not at present amount to the numbers on which the estimate was made, but as the men are daily coming we are to suppose that the complement of men will be made up by the end of the month. But at all events it is incumbent on us to be provided to answer the largest demands that can be made on us.

It is not only the immediate supply of the army that the committee would wish to call your attention, but likewise the necessity there is of the * * * * * * * * * the supplies agreeably to the requisitions that have been heretofore made to prevent future alarms of this nature, and our giving you further trouble on the subject.

I have the honor to be, with the highest respect, your Excellency's most obedient servant,

On behalf of the Committee,

JNO. MATTHEWS,

His Excellency, Governor LIVINGSTON.

From General Washington to Governor Livingston.

Head-quarters, Orange-town, August 17, 1780.

DEAR SIR,—I have your Exeellency's favor of the 4th instant. As soon as I found that Sir Henry Clinton's return from the eastward had frustrated the enterprize which I had in contemplation, I directed Colonel Seely to return again to Morristown with the militia,

and write to the commanding officer of the state detachment in Monmouth, to remain there. By a return from Colonel Seely, of the 10th instant, his numbers only amounted to 443; and by a return of the same date from the commanding officer of the Jersey brigade only 159 recruits had then joined, and I hear of none since. These deficiencies in the last are so great and operate so seriously upon our plans, that I am obliged to represent to your Excellency the absolute necessity of calling upon the proper officers, in the respective counties, to know how far they have succeeded in procuring the quotas allotted to them; how many men they had sent forward, and whether they have any or what prospects of obtaining the remainder. I advert more particularly to the levies for the continental battalions.

Your Excellency must be sensible that, unless the number of men demanded by the Committee of Co-operation in conjunction with me can be brought into the field, any attempt against the enemy in New York must be fruitless, and attended not only with disgrace but with an immense accumulation of unnecessary expense. Our calculations were founded upon a pretty exact knowledge of the strength of the garrison, and I do assure you our requisitions were as moderate as circumstances would possibly admit. Should our continental battalions remain incompleted, the consequence will be that we must either totally abandon an enterprize upon which the hopes of the states and the expectations of our allies are fixed, or we must make up our deficiency by an increased demand of the militia. How distres-

sing this will be to the people, how incompetent to the end, and how destructive to the slender magazines of every kind, your Excellency can as well conceive as I can describe.

I am persuaded I need not make use of further arguments to induce an exertion to collect and send forward all the men actually raised under the late law, and if that should be found incompetent to the end of obliging those counties which are still deficient to provide their quotas to fall without loss of time upon some more efficient measures for that purpose.

I have just received advice from Newport that the greater part of a fleet of [victualing ships?] from England to Quebec, had been taken by the Eastern cruizers. Sixteen of the prizes had arrived in the different parts.

I have the honor to be with the greatest respect and regard, yr Excellency's most ob't serv't,

G° WASHINGTON.

His Excellency, Gov'r LIVINGSTON.

P. S. Six levies only have joined since the return of the 10th.

I have appointed the 1st September for the trial of Moody at this place. If your Excellency knows of any material evidences against him, be pleased to direct them to attend.

From the Committee of Co-operation to Governor Livingston.

Camp Tappan, August 19, 1780.

SIR,—When America stood alone against one of the most powerful nations of the earth, the spirit of liberty

seemed to animate her sons to the noblest exertions, and each man cheerfully contributed his aid in support of her dearest rights. When the hand of tyranny seemed to bear its greatest weight on the devoted country, their virtue and perseverance appeared most conspicuous and rose superior to every difficulty. If then such patriotism manifested itself throughout all ranks and orders of men among us, shall it be said at this day, this early day of our enfranchisement and independence, that America has grown tired of being free.

Let us, sir, but for a moment take a retrospective view of our then situation and compare it with the present, and draw such deductions from the premises, as every reasonable man or set of men ought to do. In the early stage of this glorious revolution we stood alone; we had neither army, military stores, money, or in short any of those means which were requisite to authorize assistance. The undertaking was physically against us, but Americans abhorred the very idea of slavery; therefore, reposing the righteousness of their cause in the hands of the Supreme Disposer of all human events, they boldly ventured to defy the vengeance of a tyrant, and either preserve their freedom inviolate to themselves and posterity, or perish in the attempt. This was the situation and temper of the people of this country, in the beginning of this controversy. At this day America is in strict alliance with one of the first nations of the earth, for magnanimity, power and wealth, and whose affairs are conducted by the ablest statesmen, with a Prince at their head who

hath justly acquired the title of the protector of the rights of mankind. A respectable fleet and army of our ally are already arrived among us, and a considerable reinforcement is hourly expected, which when arrived will give us a decided superiority in these seas; the whole to co-operate with the force of this country, against the common enemy. Another powerful nation, (Spain) though not immediately allied with us, yet, in fighting her own, she is daily fighting the battles of America, from whence almost every advantage is derived to us that could be produced in a state of alliance. An army we have now in the field, part of whom are veterans, equal to any the oldest established nations can boast. Our militia from a five years war, are become inured to arms. You have at the head of your army a general, whose abilities as a soldier, and worth as a citizen, stands confessed even by the enemy of his country. Our officers of all ranks are fully equal to the duties of their respective stations. Military stores are within our reach; our money, though not so reputable as that of other nations, with proper attention, we have reason to expect, will shortly emerge from its present embarrassed state, and become as useful as ever.

Now, sir, from a comparative view of our circumstances at the beginning and at this day, how much more pleasing and important must the latter appear than the former, to every dispassionate man. Then shall we leave to future generations to say,—shall we at present commit ourselves to the world to exclaim, that when Providence had benignly put into our hands the

most essential means of obtaining by one decisive blow the inestimable prize we have been contending for, it was lost—disgracefully lost—for want of proper exertions on our part! That avarice, luxury and dissipation had so enervated the boasted sons of American freedom, that, rather than forego their present ease and wanton pleasures, they would tamely, cowardly submit to the loss of their country and their liberty, and become those abject slaves which their generous nature but a few, very few years before would have revolted at the bare idea of!

These reflections arise, sir, from the extraordinary backwardness of some states, and great deficiencies of others, in sending the men into the field that were required of them near three months ago, and ought to have joined the army fifty days past, and an apprehension that from this torpitude America has forgot she is contending for liberty and independence, and that the good intentions of our generous ally will be totally frustrated by our unpardonable remissness. Our former letters to the states have been full on this very important subject, and we are concerned to be driven to the necessity of reiteration; but our duty to our country, our respect for the reputation of the commander-in-chief of our army, impel us to it, for a knowledge of the force that has been required of the states for the campaign, and which was allowed to be adequate to an important enterprize, will induce a belief in our countrymen and in the world, that it has been furnished; and they must stand amazed to see our army inactive and

things not in that train for operation, which ought in such a case to be expected, especially at this advanced season of the year. Again, the force of our ally now with us, and the shortly expected arrival of its second division, must clearly evince the utility of our army being put in a condition to undertake an enterprize which if successful, must give a deadly wound to our unrelenting and ambitious foe. But what apology can be made, if when the commander-in chief of our army should be called on by the commander of the forces of our generous ally, and informed he is ready to undertake with him whatever measure he shall think proper to point out, he shall be reduced to the cruel necessity of acknowledging his inability to engage in any enterprize that can possibly redound to the honor or reputation of the arms of either nation. Sir, the reflection is too humiliating to be dwelt on without the extremest pain; nay, horror!

You must pardon us, worthy sir, for the freedom with which we have now declared our sentiments on this truly interesting subject. We flattter ourselves great allowances will be made for our situation, when we daily have before our eyes specimens of that want of energy in conducting our affairs, which must shortly so far embarrass us as to render all future exertions inadequate to the attainment of those great purposes at which we aim. America wants not resources; we have men (independent of those necessary for domestic purposes) more than sufficient to compose an army capable of answering our most sanguine expectations; and our

country teems with provisions of every kind necessary to support them. It requires nothing more than a proper degree of energy to bring them forth to make us a happy people. This, we trust, sir, the state over which you preside, will show no reluctance in contributing her aid to, by taking such decisive measures as will, without loss of time, bring into the field the remainder of your quota of men, that have been required for the campaign. The articles of provisions, forage and teams are no less important than men, but as the committee had the honor of addressing you but a few days ago, on the subject of provisions, and the other articles being so nearly allied with that, we will not intrude it on you at this time.

Inclosed is a copy of the letter from the commander-in-chief of the 17th inst., to the committee. It will fully show you the state of the army at this time, and how great a deficiency of men there is to what there ought to have been before this day. However we hope, sir, it will be no discouragement to your state to using their utmost exertions for furnishing the remainder of their troops to join the army as soon as possible; and that the idea of its being probably too late, before a sufficient force can be collected to promise a successful campaign, will be totally banished; for policy as well interest dictate to us to be always prepared to take advantage of every favorable conjuncture, and it is impossible to say how soon such a one will present itself.

The general's letter treats this subject in every other

respect so fully as to render it unnecessary to add more than that we have the honor to be your Excellency's most obedient and humble servant,

In behalf of the Committee,

JNO. MATTHEWS.

His Excellency, Governor LIVINGSTON.

From General Washington to Governor Livingston.

Head-Quarters, near the Liberty Pole,
Bergen County, August 26th, 1780.

DEAR SIR,—In mine of the 20th instant I desired your Excellency to discharge the whole of Col. Seely's militia except about one hundred for the purpose of a guard at Morristown, and to direct the September class to hold themselves in readiness to come out upon the shortest notice. I would only wish you to continue those orders, but not to call out the classes, except about one hundred men for the purpose above mentioned, until you hear from me. Our extreme distress for want of provision makes me desirous of lessening the consumption as much as possible. Some brigades of the army have been five days without meat. To endeavor to relieve their wants by stripping the lower parts of the county of its cattle, I moved two days ago to this place and yesterday completely foraged Barbadoes and Bergen Necks. Scarcely any cattle were found but milch cows and calves of one and two years old, and even those in no great plenty. When this scanty pittance is consumed, I know not to what quarter to look, as our

prospects from the eastward, upon which our principal dependence is placed, are far from being favorable.

The monthly requisition of meat from the state of Jersey has been complied with in a very small degree, as the commanding general informs me that he has received but seven cattle from Mr. Dunham, the superintendent since the month of April. I am very far from complaining of the general exertions of the state, on the contrary, I have every reason to acknowledge them upon several pressing occasions; but your Excellency must be sensible that when the support of an army is made to depend upon certain quantities of provision to be furnished regularly by the different states, the failure of any one must be more or less felt.

I have the honor to be, with very great regard and esteem, your Excellency's most ob't and h'ble serv't,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

P. S. I have received your Excellency's favors of the 21st and 23d. I do not imagine it will be possible to discover the officer who permitted Heyden to escape, as the description is so exceedingly vague. As money does not appear from the deposition to have had any operation, I am led to believe that the thing has happened more from an improper knowledge of duty, than from any design. I am sorry to hear of your Excellency's indisposition.

From General Washington to Governor Livingston.

Head Quarters, near the Liberty Pole,
Bergen County, August 27th, 1780.

Sir,—The hon'ble the committee of Congress having returned to Congress, I am under the disagreeable necessity of informing your Excellency that the army is again reduced to an extremity of distress for want of provisions. The greater part of it had been without meat from the 21st to the 26th; to obtain some relief I moved down to this place with a view of stripping the lower parts of the county of the remainder of its cattle, which after a most vigorous exaction is found to afford between two and three days' supply only, and those consisting of milch cows and calves of one or two years old.

When this scanty pittance is consumed I know not what will be our next resource, as the commissary can give me no certain information of more than 120 head of cattle expected from Pennsylvania, and about 150 from Massachusetts, I mean in time to supply our immediate wants.

Military coercion is no longer of any avail, as nothing further can possibly be collected from the country in which we are obliged to take a position without depriving the inhabitants of the last morsel. This mode of subsisting, supposing the desired end could be answered by it, besides being in the highest degree distressing to individuals is attended with ruin to the morals and discipline of the army;—during the four days which we have been obliged to send out small parties to pro-

cure provision for themselves, the most enormous excesses have been committed.

It has been no inconsiderable support of our cause to have had it in our power to contrast the conduct of our army with that of the enemy, and to convince the inhabitants that while their rights were wantonly violated by the British troops, by ours they were respected. This distinction must unhappily now cease, and we must assume the odious character of the plunderers instead of the protectors of the people, the direct consequence of which must be to alienate their minds from the army and insensibly from the cause.

We have not yet been absolutely without flour, but we have this day but one day's supply in camp, and I am not certain that there is a single barrel between this place and Trenton. I shall be obliged therefore to draw one or two hundred barrels from a small magazine which I had endeavored to establish at West Point for the security of the garrison in case of a sudden investiture.

From the above state of facts it may be foreseen that this army cannot possibly remain much longer together unless very vigorous and immediate measures are taken by the states to comply with the requisitions made upon them.

The Commissary General has neither the means nor the power of procuring supplies—he is only to receive them from the several agents. Without a speedy change of circumstances, this dilemma will be involved, either the army must disband, or what is if possible

worse, subsist upon the plunder of the people. I would fain flatter myself that a knowledge of our situation will produce the desired relief, not a relief of a few days, as has generally heretofore been the case, but a supply equal to the establishment of magazines for the winter. If these are not formed before the roads are broken up by the weather, we shall certainly experience the same difficulties and distresses the ensuing winter which we did the last. Although the troops have upon every occasion hitherto borne their wants with unparalleled patience it will be dangerous to trust too often to a repetition of the causes of discontent.

I have the honor to be, with great respect, your Excellency's most ob't and h'ble serv't,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From the President of Congress to Governor Livingston.

Philadelphia, September 3d, 1780.

SIR—Your Excellency will receive herewith enclosed an act of Congress of the 26th ulto. earnestly recommending to the several states to take the most speedy and effectual means in their power for drawing in their respective quotas of the continental bills of credit, to be destroyed either by taxes or by exchanging for them new bills emitted pursuant to the resolution of the 18th of March last, at a rate not less than forty for one, that the whole of the new bills may be issued.

Also recommending to the several states to raise by taxes, payable in the new bills above mentioned or specie, their respective quotas of three million of dollars agreeable to the apportionment of the 7th of October 1779, and pay the same into the treasury of the United States as soon as possible, the payment to be fully completed by the last day of December next, each state to be allowed interest from the time it is paid; to be hereafter adjusted according to a resolution of the 6th of October 1779.

You will also observe by this act provision is made for payment of public debts due in any of the states.

Commissary Wadsworth is also the present Commissary General of purchases.

And in order to prevent the possibility of a depreciation in the new bills, it is earnestly recommended to the several states not to issue bills of credit for a currency on any acount whatever, in such manner as to have in circulation an amount greater than their respective quotas of the new bills.

And in order that justice be done to the creditors of these United States for supplies furnished the army, or transportation thereof, provision is made by this act that such creditors be paid the just value of their debts, to be ascertained in the manner expressed in the act, and all debts due to the United States are to be justly paid in like manner.

I have the honor to be, with very great respect, your Excellency's most obedient and humble servant,

SAM. HUNTINGTON, President.

His Excellency, Governor LIVINGSTON.

From Abraham Skinner, Commissary of Prisoners, to the Governor.

Commissary of Prisoners' Office,
Head Quarters, September 9th, 1780.

Sir,—The very peculiar situation of the prisoners of war belonging to this state who are now in the hands of the enemy, induces me to request that your Excellency will give me instructions relative to their situation, or point out some method in which their distresses may be alleviated and their confinement made sufferable.

The officers who are prisoners on parole on Long Island have not had the least supply or support from this office since the spring of the year 1779; since which they have been at board on Long Island and many of them are at present destitute of a single farthing, are liable to insult daily from their landlords, who seem tired of supporting them without fee or reward, and if their exchange could be effected, they would be detained for the payment of the debts they have contracted for their necessary support.

The citizens and privates of this state, some few excepted, are confined in sugar-houses and churches in a wretched situation, many of them without a shirt or blanket, and no allowance except what they receive from the enemy and about 3½ lbs. of bread, which is issued to them by the continental agent without any authority from the legislature of the state.

To these distresses may be added, the mortification the Jersey prisoners feel in seeing their fellow sufferers

receive supplies from the neighboring states to which they belong, when their past services as soldiers and citizens merit equally as much attention.

I am sorry to add that at present there seems to be not the smallest prospect of exchanging or releasing those men, and that if they are not timely supported they must as severely feel the consequences as you can possibly imagine.

I shall at all times be happy to render them the services which my duty as well as inclination may point out, and to fulfil your Excellency's directions with respect to the difficulties they labor under.

I have the honor to be, with great respect, your Excellency's most ob't h'ble servant,

ABRM. SKINNER,
Commiss'y of Pris'rs H'd Qrs.

His Excellency, Governor LIVINGSTON.

From a Committee of the Jersey Prisoners of War to Governor Livingston.

Long Island, September 15th, 1780.

SIR,—The officers, prisoners of war, and state prisoners belonging to the state of New Jersey, beg leave to remind your Excellency of our distressing situation. The petition to the Assembly in May last which we enclosed under cover to your Excellency, we doubt not has been laid before them; we not hearing from them since inclines us to think a multiplicity of business or some other cause has prevented them from paying that

attention to us that our urgent necessities required; 'tis sixteen months since we received the last supply, great part of which was disposed of in paying our arrears, which has ever been the case during near four years' captivity, which many of us have experienced to the extreme prejudice of our minds, bodies and estates; consequently what might appear a tolerable supply at first, when our debts are paid, a few necessaries purchased at the most extravagant prices, we generally find ourselves possessed of but a scanty pittance indeed. We therefore humbly pray your Excellency will act the part of an advocate for us, that we may receive both a liberal and speedy supply, and as we are the immediate sufferers we hope it will not be deemed presumption in us to say we think fifty pounds per man is the least that will answer to pay our debts and clothe us properly for the winter season, exclusive of what is due for our board, which has not been paid since the 20th of May, 1779.

We are, with the highest esteem, and most perfect respect, your Excellency's most ob't and most h'ble servants,

Signed in behalf of the whole, and at their request,

HENDRICK VAN BRUNT,
JOHN MERCER, 1st Regt.
BATEMAN LLOYD, 3d.

His Excellency, the Governor of N. Jersey.

List of the Officers of the State of New Jersey, Prisoners of War.

William B. Gifford,	Capt. Con.
John Munn,	Lieut. do.
Bateman Lloyd,	do do.
Abraham Stout,	do. do.
John ———,	do. do.
Benjamin Osman,	do. do.
Jona. Holmes,	do. do.
James Paul	Ens'n. do.
And'w Thompson,	do. do.
Ocky Wykoff,	Col. Militia.
Hendrick Van Brunt,	Major do.
William Ellis,	do. do.
James Whitlock,	Lieut. do.
Thomas Little,	do. do.
Tobias Polhimus,	do. do.
Jacob Covenhoven,	Capt. do.
John Cousins,	do. do.
And'w Barns,	do. do.
John Parsons,	Lieut. do.
Aaron Chew,	do. do.
Char'e Heavland,	do. do.
Thomas Cook,	do. do.
John Smock,	Col. do.
Barns Smock,	Capt. do.
Henry Smock,	
——— Hay,	Major do.

From Timothy Pickering, Quarter-Master-General.

To the Honorable the Council and General Assembly of the State of New Jersey—

Urged by my duty to the public and a regard to my own reputation, I am compelled to address your honorable Houses on the subject of forage to supply the teams employed in transporting stores and provisions to the army. At present every post is destitute; the pastures are generally eaten up, and will soon fail altogether. Then, unless some magazines of forage, particularly hay, are formed at the necessary posts in the route chiefly taken by wagons, transportation must wholly cease, the consequences of which I need not describe.

By your leave, I will observe that, the mode of obtaining by purchase the quotas of supplies demanded by Congress of the several states, could not fail of involving us in the distress we now feel. For had all the current continental money in the United States been brought into the public treasuries at once, it would have been inadequate at the current prices, to the purchase of those supplies only. But if one half or even a third part of the money current were to be brought into the public treasuries in the course of a year it would distress the people. Accordingly, it has been found extremely difficult to collect the taxes that have been assessed, and if collected, they might have proved capitally deficient compared with the necessary public expenditures.

The above observation being incontestibly true, we may thence account for the distress that universally pervades our public affairs. Hence it has happened that not a single magazine, is formed, either of provission or forage, that the army has been so illy supported that the troops have been near a year without pay; that they have sometimes been starving, and consequently licentious, as hunger will bear no restraint; hence we must inevitably experience more capital evils, unless the system is speedily changed, and new and effectual mode of obtaining supplies adopted. What this should be, so far as it may respect the state of New Jersey, I earnestly entreat may be considered and speedily determined by your honorable Houses. But I beg leave to observe that, the circumstances of the army demand such measures to be taken, as will be quick and decisive in their operation, to prevent the total stoppage of transportation.

The army itself will subsist as it long has done, (however painful and disagreeable the practice) on supplies of forage taken by military authority; this is not eligible in itself, nor easily applied for the support of the teams employed in transportation. It is also evident that all attempts to purchase a sufficiency must at present prove ineffectual, and there seems to be no alternative but impressing, in case the inhabitants refuse to part with their forage on such securities as the state can give. This measure may be disgusting, but if executed by the civil authority will be attended with fewer evils than impressing by military force.

I have the honor to be, with very great respect, your most obedient servant,

TIMOTHY PICKERING, Q. M. G.

From the President of Congress to Governor Livingston.

Philadelphia, Sept. 14th, 1780.

Sir,—Your Excellency will receive herewith enclosed, an Act of Congress of this date, requesting the several states therein mention to furnish fat cattle to supply the army in proportion therein expressed. Congress found themselves under the necessity of requesting the state of New Jersey to furnish for an immediate supply, until cattle may arrive from the eastern states, 275 head.

If the measures adopted by the Act enclosed should be complied with, as we trust they will be, there will be no want in future of supplies for the army this campaign. The necessity of the measure is absolutely indispensable, and we believe the state of New Jersey, which hath so frequently exerted itself on pressing emergencies, will not be wanting in her endeavors to comply with the present requisition. Congress would have exempted that state from the present request, could they have devised any other means to feed the army, but as that was not in their power, it is requested in the most urgent terms, that the number of beeves mentioned may be furnished with all possible despatch, as well as to prevent the impending distresses of the

army, as the consequential distress that must fall upon the inhabitants in the vicinity of the army.

I have the honor to be, with every sentiment of respect, your Excellency's most obedient servant,

SAM. HUNTINGTON, President.

His Excellency, Governor LIVINGSTON.

From Abraham Clark to Josiah Hornblower, Speaker of the Assembly.

Philadelphia, October 31st, 1780.

SIR,—Herewith I enclose a resolution of the 12th inst., granting half pay for life, as well to officers reduced as to others. This is a kind of supplement to the resolution of the 3d, directing a reduction of the army. On this precipitate, and in my opinion, injudicious Act of Congress, it is unnecessary, perhaps improper for me to make any comments; it speaks for itself, and in a language which in New Jersey will be better understood than relished. The states which had established half pay for life to the officers of their lines, aided by New York who entertains similar sentiments, forced this measure upon us. A measure contrary to the genius and political ideas of the New England States and New Jersey.

In opposition to this resolution it was urged that the measure was unjust, improper and altogether unnecessary to be forced upon the states who opposed it, as it was of no consequence to the United States in what mode any particular state gave satisfaction and rendered

justice to their officers, provided they kept their regiments properly officered, which there could be no doubt would be done where the mode of doing it was left to themselves; whereas, a measure so disgustful would violate and prevent the exertions so necessary at this time; but no reasons could prevail upon men fixed and determined. What is now to be done? Will or will not our legislature remonstrate against this procedure and insist upon an exemption? If they mean not to sit down easy and quiet under this act, the sooner they explain themselves upon the subject, the better, as I believe no reductions have yet been made in the army.

As some persons are of opinion it would be of general utility for Congress to repeal that part of the resolution of the 18th of March, which admits rendering one dollar of the new emission in lieu of 40 of the old; it may be proper for the legislature to instruct their delegates upon the subject, in case they think the measure advisable. This hath not been moved in Congress, nor do I know that it will. I do not wish in this to call your attention from more important matters unless you think this a matter of consequence. The subject I have not considered maturely since the new emission is passing, where issued, at a depreciation of near one half, owing as is supposed, to fixing the same at one for forty of the old emission. The expectation of Congress in that act was that the new bills would fix the value of the old, but we find the value of the new is fixed, and varies with the old. As the laws of our state are conformable to the resolutions of Congress

your delegates cannot consent to any alteration without your direction, should the same be moved and become ever so necessary under the present change of circumstances. This tie makes any consideration of the subject unnecessary in your delegates without your particular orders for that purpose.

I have the honor to be, sir, with all proper regard, your obed't and humble servant,

ABRA. CLARK.

HON. JOSIAH HORNBLOWER, Esq.

From Judge Paterson to Mr. Stevens.

Raritan, December 4th, 1780.

SIR,—On my return from Sussex Court I met with your letter, which notified me of my being in the delegation for Congress. The appointment was unexpected, especially as some of the gentlemen of the Legislature were fully possessed of my sentiments on the occasion. From the commencement of this contest I have held myself bound to serve the public in any station in which my fellow-citizens might place me, and it is therefore with regret that I find myself under the necessity of declining the present appointment. I look upon it, however, as an act of justice to myself, as well as of respect to your honorable body, to declare that my non-acceptance of the delegacy is owing to its interference with my official duty in another line. The business of a criminal nature in this state is at present intricate and extensive, it unavoidably occupies the far

greater part of my time. I feel its weight, and have more than once been ready to sink under it. Of the business of Congress, its variety, extent and importance I shall forbear to speak. Viewing these offices as I do, I am convinced that no one man can execute them both at the same time; if he can acquit himself well in one of them at once, it is full as much as can reasonably be expected. I am sure I shall count it one of the happiest circumstances of my life, if in the execution of my present trust alone I can give satisfaction to the public under which I act.

I am, sir, with respect, your ob't and h'ble servant,

WM. PATERSON.

The Honorable Mr. STEVENS.

From the President of Congress to Governor Livingston.

In Congress, January 15th, 1781.

SIR,—A circular address to the respective states of the 9th day of November last communicated a requisition of Congress for the service of the current year. This act and the system of the 18th of March respecting our finances include the principal means which their present powers have enabled Congress to adopt for prosecuting the war. Measures so deeply interesting not only demand the unremitted attention and vigorous support of the Legislatures, but Congress ought to be informed of their progress with the utmost precision; both are necessary to the public credit, to the

success of our military operations, to the very existence of our armies. By an act of the 21st of October the state agents are directed to transmit to the commander-in-chief and to the Commissary General respectively, monthly returns of all supplies which shall be drawn into their hands, specifying the articles and the magazines where they shall be deposited; it is equally incumbent on the state Treasurers to make similar returns to the board of treasury of all the taxes which shall be brought into their respective offices, and of the issues of the new emissions. These are regulations which cannot be dispensed with, and it is recommended to the legislatures to enjoin them under such penalties as will enforce a prompt and punctual obedience. Besides those supplies for the current year which cannot be anticipated without the utmost danger, the pay in arrear to the army demands your most serious consideration. The honor of government, and military order and discipline depend on its regular discharge. Nor was a fund sufficient for this and other purposes neglected: for had the requisitions for taxes prior to the act of the 18th of March been productive; had the warrants on the state treasurers for the balances of those states drawn so long ago as the first of July, been satisfied, a complaint of this nature could not have existed.

We are not unapprized of the embarrassments attending the collection of taxes from the credit given on commissaries' and quarter-master's certificates for the support of the army, but it is manifest that Congress

could not provide a remedy, It was found expedient to discontinue the emission of paper money, and, from various causes public necessities were not relieved by loans, at the same time, though the measure was embraced of extinguishing those certificates in the taxes. Hence the treasury has been destitute of supply, almost every resource being cut off at the same instant; in vain have we endeavored to obtain a knowledge of the amount of those certificates or how far they have been reduced, and they continue to obstruct every plan which hath been devised for restoring public credit and supporting the war.

This is a subject to which the authority of the legislature alone is competent, and it will become their wisdom and their zeal for public service, to give it the fullest investigation. In the mean time an immediate provision for the pay of the army is indispensably necessary. We need not dwell upon the injustice or the probable effects of a delay. They are obvious and alarming; and we earnestly call upon the several states to devise prompt and efficient means for remitting to the paymaster-general, on warrants to be issued in his favor, the respective quotas assigned to them by the enclosed estimate. The necessity of great and spirited exertions becomes every day more evident, while the cruel policy of our enemies raises universal indignation and abhorrence: it admonishes us that no time is to be lost in rescuing our bleeding country from desolation, and establishing its independence on the basis of an honorable and permanent peace. However great may

be the burthens which we are called upon to sustain, let us remember that they are the price of liberty, and that they have been common to every people who have dared to struggle for social happiness against violence and oppression. Let us reflect on our solemn engagements to devote our lives and our fortunes to the best of causes; and we shall find that we cannot be destitute of resources. Let us review the past miseries of a lingering war, and the danger of its further protraction, and we shall seize the golden opportunity of co-operating with our generous ally by every possible effort to render the approaching campaign glorious and decisive. If we are enabled in this stage of the conflict to defend ourselves by annual taxes, can we hesitate to interpose our responsibility or to contribute a portion of our capital? Will a people whose fortitude and patriotism have excited the admiration of Europe, languish at the bright dawn of triumph, and endanger the public happiness by a selfish parsimony? While Congress entertains just sentiments of their constituents, there can be no place for such humiliating apprehensions. On the contrary, we shall look with confidence for a liberal compliance with every requisition which the public exigencies dictate. Experience has pointed out the dangers to which we have been exposed by a want of punctuality in former supplies, and we are persuaded that those dangers will for the future be carefully prevented.

For our own part we have left nothing unessayed to render the operations of the war more vigorous and

successful. We have applied for naval succours from abroad. If we no longer continue unfortunate in the importation, we shall not want a competent supply of clothing, arms and ammunition. We are once more attempting a foreign loan of specie; we have pointed out and required the aids of men, provisions, and money, which in every event must be produced from our own internal resources; we have strenuously urged upon the states a punctual compliance on their part with those requisitions, with the states who alone have authority to execute, with an enlightened people who know how to estimate the blessings for which we contend: it remains to give the measures which we have recommended their full and seasonable effects.

By order of Congress,

SAM. HUNTINGTON, President.

His Excellency, Gov'r LIVINGSTON.

From the President of Congress to Governor Livingston.

Philadelphia, February 8, 1781.

SIR,—Your Excellency will receive enclosed two important resolves of Congress of the 3d and 7th inst., recommending to the respective states as indispensably necessary that they vest a power in Congress to levy for the use of the United States, a duty of five per cent. ad valorem, at the time and place of importation, upon all goods, wares and merchandize, of foreign growth and manufacture, which may be imported into any of

the said states from any foreign port, island, or plantation after the first day of May, 1781, except arms, &c. therein expressed. Also a like duty on all prizes and prize goods.

The monies arising from the said duties to be appropriated to the discharge of the principal and interest of the debts already contracted on the faith of the United States for supporting the present war, and the duties continued until the said debts are finally discharged.

You will observe from the tenor of the resolves, that if any one or more of the states immediately pass a law vesting in Congress the power requested, it cannot take effect or operate to any purpose until all the states that are not prevented by the events of the war shall have passed similar laws. That is, at present, all the states except South Carolina and Georgia; and when all the states have passed the necessary laws, the money arising from the duties is to be applied for their benefit, exclusive of the remaining states, unless such states shall pass similar laws the first session after the events of the war will admit of the assembling their legislatures; and Congress have not the least doubt of their complying as soon as circumstances shall put it in their power.

The necessity of the duties and imposts being raised under one general and uniform direction, is an idea that will readily suggest itself. I am specially directed to urge the necessity of calling the Assembly, if not already convened, for the purpose of vesting Congress with the powers mentioned in the enclosed resolutions. Although it may be improbable any person not particu-

larly acquainted with the daily business in Congress, should have an adequate conception of the difficulties and embarrassments that arise for want of some certain and permanent fund to support the national credit and cement more effectually the common interests of the United States, yet I doubt not the wisdom, knowledge, and penetration of the respective legislatures will view those embarrassments as very great.

It ought to be remembered that loans are not to be obtained without some permanent fund established, at least to discharge the annual interest punctually; that the army in the present state of our finances, must be in a great measure immediately supported by the states, separately and perhaps very unequally; and a train of embarrassments, too obvious to need enumeration, must ensue; which have already been felt in a degree and must greatly increase. I have only to add that it will be of importance to transmit to Congress the Acts that may be passed in consequence of the enclosed resolves as soon as possible.

I have the honor to be, with every sentiment of esteem and respect, your Excellency's most obedient and most humble servant,

SAM. HUNTINGTON, President.

His Excellency, the Governor of New Jersey.

From the President of Congress to Gov. Livingston.

Philadelphia, March 23, 1781.

SIR,—Your Excellency will receive herewith enclosed two acts of Congress of the 16th and 23d inst., directing that all debts liquidated in or contracted for specie value, shall be paid in specie or other money equivalent, according to the current exchange compared with specie. Also recommending to the several states to amend their laws making the bills of credit emitted under the authority of Congress a legal tender, so that such bills shall not be a legal tender in any other manner than at their current value compared with gold and silver. But what will more particularly claim the attention of your legislature as of great importance, is the requisition for six millions of dollars, that is, one million and an half to be paid quarterly, the first quarterly payment to be made on the first day of June next, the quota of each state being apportioned in the enclosed act, and payment to be made on this requisition, as also the several others therein referred to, in gold or silver, or bills emitted by any of the states whatever, in pursuance of the resolutions of the 18th of March, 1780.

This assessment is not to be considered as the proportion of any state, but being paid, is to be adjusted and settled with interest in future upon equitable principles in the manner expressed in the act. It is with reluctance that Congress are compelled to make this requisition, but the absolute necessity of the case

will appear so obvious that we presume the respective States will yield a ready and cheerful compliance therewith to the utmost of their power.

I have the honor to be, with great esteem and respect, your Excellency's most obed't and most humble servant,

SAM. HUNTINGTON, President.

His Excellency, Governor LIVINGSTON.

From the President of Congress to Governor Livingston.

Philadelphia, May 14th, 1781.

SIR,—The United States in Congress have this day received intelligence of so alarming a nature that they think it their indispensable duty immediately to forward it to you; and at the same time to assure you that upon a serious review of public affairs they are convinced that unless the several states immediately and punctually comply with the acts and requisitions of Congress, the worst of consequences must ensue.

Had the states paid due attention to the act of 18th March 1780, and complied with the requisition of the 26th August, the quarter-master would have been in capacity to do his duty and to have forwarded the supplies which the states were called upon to furnish by the act of the 4th November. But as that has not been done, the states must now not only furnish the supplies, but they must also forward them to the places where they are wanted. For this purpose I enclose an

earnest recommendation passed this day upon receipt of the intelligence above mentioned, and flatter myself that from the necessity of the case your state will strain every nerve and exert every power to send forward the supplies and prevent the fatal events which must otherwise inevitably ensue.

I have the honor to be, with the highest respect, sir, your most obedient, humble servant,

SAM. HUNTINGTON, President.

His Excellency, Governor LIVINGSTON.

From Abraham Clark to the Chairman of the Joint Meeting.

Princeton, May 24th, 1781.

SIR,—My long and steady attendance in Congress for sixteen months past, makes it necessary for a relaxation of my mind and restoration of my health, that I retire for some time at least, and if agreeable to the legislature I wish it may be to the end of my present delegation, and that my resignation may be accepted, which this is intended to solicit.

By my absence there will be but two members remaining, and they mean to attend only one at a time; this in the course of a few days will deprive this state of a representation unless an appointment of one or more members speedily take place. I continued of the same opinion as heretofore, that three members are preferable to five, provided such can be found who will devote their time to that service, and unless they do I

am clearly of opinion you had better have none, but in this I do not suppose that one member is to attend alway and the other two alternately, which hath long been the case; few constitutions can bear such constant attendance, some relaxation is necessary.

With all due regard and esteem I have the honor to be, sir, your obed. and humble servant,

ABRA. CLARK.

The Hon. JOHN STEVENS, Esq., Chairman of the Joint Meeting.

From General Phil. Dickinson to the Speaker of the Assembly.

Hermitage, May 25th, 1781.

SIR,—I think it a duty incumbent on me to represent to the hon'e the legislature the present wretched, feeble contemptible and disgraceful state of our military companies, praying they would be pleased to take the same into consideration, and make such an arrangement as will reflect honor on themselves and give security to the state.

I submit to the honorable legislature whether it would be improper to form a regiment of artillery, consisting of two companies, taken from the different regiments contiguous to Trenton and Princeton, being central and places of security, (for the times,) under the command of a Col. or Major, as shall be judged most proper; and instead of the Captains and subs. being chosen by the companies, have them appointed by the

honorable legislature, as very few of the present officers are qualified for such service. I do not mean the least reflection on those gentlemen who hold commissions in the artillery, but it requires a practical kind of knowledge which can only be acquired by study and practice. We find from experience that artillery give a confidence to troops that possess them, and are essentially necessary in the field. We have dragged a few heavy iron pieces through this war, to this day, wretchedly supplied in every respect. Whilst the militia of the neighboring states appear in the field with an ample supply of brass artillery, the necessary apparatus and camp equipage of every kind, the militia of New Jersey, whose services in the field have been frequent, and without a compliment I may say inferior to none on the continent, are entitled to an *indulgence* which, in their opinion, contributes to their honor and security. I mean a proper supply of field artillery with the appendages.

As this address proceeds from the strongest attachment to the just and virtuous cause in which we are engaged, and the honor and safety of the state are so deeply interested in the equipment of our militia, I flatter myself this application will meet a favorable reception from the honorable legislature.

I have the honor to be, with great respect, your most obed't ser't,

PHILEMON DICKINSON.

Hon'e JOSIAH HORNBLOWER, Speaker of the Assembly of the State of New Jersey.

From Robert Morris to Governor Livingston.

Philadelphia, July 25th, 1781.

Sir,—I had the honor to write you on the 16th inst. enclosing a certified copy of the account of your state as it stands in the treasury books of the United States. I now pray leave to recall your attention to it. It gives me very great pain to learn that there is a pernicious idea prevalent among some of the states that their accounts are not to be adjusted with the continent. Such an idea cannot fail to spread listless langour over all our operations; to suppose this expensive war can be carried on without joint and strenuous efforts is beneath the wisdom of those who are called to the high offices of legislation. Those who inculcate maxims which tend to relax their efforts most certainly injure the common cause, whatever may be the motives which inspire their conduct. If once such an opinion is admitted, those states who do least and charge most, will derive the greatest benefit and endure the smallest evils.

Your Excellency must perceive that shameless inactivity must take place of that noble emulation which ought to pervade and animate the whole Union. It is my particular duty, sir, while I remind my fellow-citizens of those tasks which it is incumbent on them to perform, to remove if I can every impediment which lies in the way, or which may have been raised by disaffection, self-interest or mistake. I take therefore this early opportunity to assure you that all the accounts of the several states with the United States shall be speedily

liquidated if I can possibly effect it, and my efforts for that purpose shall be unceasing. I make this assurance in the most solemn manner, and I entreat the consequences of a contrary assertion may be most seriously weighed and considered before it is made or believed.

These accounts naturally divide themselves into two considerable branches, viz. those which are previous and those which are subsequent to the Resolutions of Congress of the 18th March 1780. The former must be adjusted as soon as proper officers can be found and appointed for the purpose, and proper principles established, so as that they may be liquidated in an equitable manner. I say, sir, in an equitable manner, for I am determined that justice shall be rule of my conduct as far as the measure of abilities which the Almighty has been pleased to bestow shall enable me to distinguish between right and wrong. I shall never permit a doubt that the states will do what is right, neither will I ever believe that any one of them can expect to derive advantage from doing what is wrong. It is by being just to individuals, to each other, to the Union, to all, by generous grants of solid revenue, and by adopting energetic measures to collect that revenue, and not by complainings, vauntings or recriminations, that these states must expect to establish their independence and rise into power, consequence and grandeur. I speak to your Excellency with freedom, because it is my duty so to speak, and because I am convinced that the language of plain sincerity is the only proper language to the first magistrate of a free community.

The accounts I have mentioned as subsequent to the resolutions of the 18th March 1780, admit of an immediate settlement. The several states have all the necessary materials; one side of this account consists of demands made by resolutions of Congress long since forwarded; the other must consist of the compliances with those demands. This latter part I am not in capacity to state, and for that reason I am to request the earliest information which the nature of things will permit of the moneys, supplies, transportation, &c., which have been paid, advanced or furnished by your state in order that I may know what remains due. The sooner full information can be obtained, the sooner shall we know what to rely on and how to do equal justice to those who have contributed and those who have not, to those who have contributed at one period and those who have contributed at another. I enclose you an account of the specific supplies demanded of your state as extracted from the journals of Congress, though without any mention of what has been done in consequence of those resolutions, because as I have already observed, your Excellency will be able to discover the balance much better than I can.

I am further to entreat sir, that I may be favored with copies of the several acts passed in your state since the 18th March 1780 for the collection of taxes and furnishing supplies or other aids to the United States, the manner in which such acts have been executed, the time which may have been necessary for them to operate, and the consequences of their operation. I must

also pray to be informed of so much of the internal policy of your state as relates to the laying, assessing, levying and collecting of taxes. I beg leave to assure your Excellency that I am not prompted either by an idle curiosity or by any wish to discover what prudence would dictate to conceal; 'tis necessary I should be informed of these things, and I take the plain, open candid method of acquiring information.

To palliate or conceal any evils or disorders in our situation can answer no good purpose; they must be known before they can be cured, we must also know what resources can be brought forth that we may proportion our efforts to our means and our demands to both. It is necessary we should be in a condition to prosecute the war with care before we can expect to lay down our arms with security. before we can treat of peace honorably, and before we can conclude it with advantage. I feel myself fittened at every moment and embarrassed in every operation, from my ignorance of our actual state and of what is reasonably to be asked or expected. Yet when I consider our zeal, wealth and numbers, and when I compare them with those of other countries, I feel a thorough conviction that we may do much more than we have yet done and with more care to ourselves than we have yet felt, provided we adopt the proper mode of revenue and expenditure. Your Excellency's good sense will anticipate my observation on the necessity of being informed what moneys are in your treasury, and what sums you expect to have there, as also of the times they must probably

be brought in. In addition to this I must pray you to communicate the several appropriations.

A misfortune peculiar to America requires that I entreat your Excellency to undertake one more task, which perhaps is far from being the least difficult. 'Tis, sir, that you will write very fully as to the amount of the several paper currencies now circulating in your state, the probable increase or decrease of each, and the respective rates of depreciation.

Having now stated the several communications which are most indispensable, let me entreat of your Excellency's goodness that they may be made as speedily as possible, to the end I may be early prepared with those propositions which, from a view of all the circumstances, may be most likely to extricate us from our present difficulties. I am also to entreat that you will inform me when your legislature is to meet; my reason for making this request is, that any proposals to be made to them may arrive in season for their attentive deliberation.

I know that I give you much trouble, but I also know that it will be pleasing to you because the time and the labor will be expended in the service of your country. If, sir, my feeble but honest efforts should open to us the prospect of American glory, if we should be able to look forward to a period, when, supported by solid revenue and resources, this war should have no other duration or extent than the wisdom of Congress might allow; when its object should be the honor and not the independence of our country; if with these fair views

the states should be roused, excited, animated in the pursuit, and unitedly determining to be in that happy situation, find themselves placed there by the very determination ;—if, sir, these things should happen soon, the reflection that your industry has principally contributed to effect them, would be the rich reward of your toils, and give to your best feelings their amplest gratification.

I have the honor to be, your Excellency's most obedient and humble servant,

ROB^{T} MORRIS,
S. J. of Finance.

His Excellency, the Governor and Commander-in-chief of the state of New Jersey.

From Robert Morris to Governor Livingston.

Office of Finances, August 22, 1781.

Sir,—I have already in a former letter forwarded to your Excellency an account of the specific supplies which Congress had demanded from your state. It now becomes my duty again to press for a compliance with those demands.

The exigencies of the service require immediate attention ; we are on the eve of the most active operations, and should they be in any wise retarded by the want of necessary supplies, the most unhappy consequences may follow. Those who may be justly chargeable with neglect will have to answer for it to their country, to their allies, to the present generation, and to all pos-

terity. I hope, entreat, expect the utmost possible efforts on the part of your state, and I confide in your Excellency's prudence and vigor to render those efforts effectual. I beg to know most speedily, sir, what supplies are collected, and at what places, as also the time and places at which the remainder are to be expected. I cannot express to you my solicitude on this occasion.

My declaration to Congress when I entered upon administration, will prevent the blame of ill accidents from lighting upon me, even if I was less attentive than I am; but it is impossible not to feel most deeply on occasions where the greatest objects may be impaired or destroyed by indolence or neglect. I must, therefore, again reiterate my requests. and while I assure you that nothing but the urgency of our affairs would render me thus importunate, I must also assure you, that while those affairs continue so urgent, I must continue to importune.

With all possible respect I have the honor to be your Excellency's most obedient and humble servant,

ROBT MORRIS.

His Excellency, the Governor of N. Jersey.

From Abraham Clark, Delegate to Congress, to the Speaker of the Assembly.

Philadelphia, Oct. 23d, 1781.

Sir,—The instructions of the legislature respecting the western lands, and Indiana claims, &c., have been

received and attended to. The cession of Virginia and the Indiana claim, &c., are before a Committee who have not yet reported. The few states at present represented in Congress will render any proceeding in this business difficult if not impracticable; a determination cannot be had without a fuller representation.

With regard to a division of the Islands and Bars in Delaware Bay and River, I beg leave, with all due deference to the opinion of the legislature, to propose to your consideration, whether it will not be best to apply to the legislatures of Pennsylvania and Delaware for such a division previous to any application for the appointment of commissioners. A settlement by commissioners agreeable to the confederation will be attended with a large expense, when in all probability the business can be effected by the legislatures with little, if any. Mr. McKean assures me the legislature of Delaware will cheerfully come into the settlement you propose, they are sensible of the necessity of the measure; he informs me their grant takes in all the islands in Delaware Bay, but thinks they will notwithstanding divide with us. I do not remember the bounds of the grant to New Jersey, so far as may respect the islands, and have never seen those of Pennsylvania and Delaware. With regard to Pennsylvania, if a settlement can be effected by acts of the legislature, it will be the most cheap and expeditious method, and I cannot yet find there will be any objection to it here; it can at least be proposed to the legislature; but those applications your delegates are not empowered to make. I have

conversed with all my colleagues upon this subject, (except Dr. Witherspoon, who hath just made his appearance,) and find we all concur in opinion, but we all are equally at a loss for the meaning of the words, "*Saving and reserving to all persons their legal and equitable claims;*" as in the preceding words you claim *all such islands and bars as lie between the Jersey shore and the main channel of Delaware Bay and River, with the rights of soil and jurisdiction.* In the grant to New Jersey both soil and jurisdiction are granted; the soil is become the property of the West Jersey Proprietors, that is, all such land as is within the limits; those limits being settled, I suppose no person can have a *legal* claim within the same except under the Proprietors, and it can hardly be supposed the legislature meant to countenance any claim under Pennsylvania or Delaware within such bounds, though the words *equitable claims* seems to hold up such an idea in favor of long-possession. If this is intended, nothing short of laws in the respective states can be binding; commissioners can have nothing to do with the private rights of individuals in cases like these.

If it should be the pleasure of the legislature to make any proposals to Pennsylvania and Delaware, I think the same should be pointed out with precision, or at least such precision pointed out to such as may be empowered to negotiate the business. Might I give my opinion, I should suppose the main channel a proper boundary as far as the tide flows; beyond that, where the main channel cannot be ascertained, by depth of water:

islands lying nearest shore of either state to belong to such state. As this may only respect jurisdiction, the right of soil will require particular attention, in which, possibly, respect will be had to possessions of long standing, which had in the first acquiring them the appearance of legality on their side.

I have the honor to be, with all due respect, sir, your obedient and humble servant,

ABRA. CLARK.

The hon'ble the SPEAKER of Assembly.

From the President of Congress to Governor Livingston.

Philadelphia, Oct. 31st, 1781.

SIR,—Your Excellency will receive herewith inclosed a Proclamation, recommending to the several states that the thirteenth day of December next, be set apart as a day of Thanksgiving and Prayer.

I have the honor to be, with the greatest respect, your obedient and most humble servant,

THOS. M^cKEAN, President.

His Excellency, Governor LIVINGSTON.

PROCLAMATION.

Whereas, It hath pleased Almighty God, the Father of Mercies, remarkably to assist and support the United States of America in their important struggle for liberty, against the long-continued efforts of a powerful nation, it is the duty of all ranks to observe and thank-

fully acknowledge the interpositions of his Providence in their behalf:—Through the whole of the contest, from its first rise to this time, the influence of Divine Providence may be clearly perceived in many signal instances, of which we mention but a few:—

In revealing the counsels of our enemies, when the discoveries were seasonable and important, and the means seemingly inadequate or fortuitous.

In preserving and even improving the union of the several states, on the breach of which our enemies placed their greatest dependence,—

In increasing the number and adding to the zeal and attachment of the friends of liberty,—

In granting remarkable deliverances and blessings with the most signal success, when affairs seemed to have the most discouraging appearance,—

In raising up for us a most powerful and generous ally in one of the first of European Powers,—

In confounding the counsels of our enemies, and suffering them to pursue such measures as have most directly contributed to frustrate their own desires and expectations: above all—

In making their extreme cruelty to the inhabitants of those states, when in their power, and their savage devastation of property the very means of cementing our Union, and adding vigor to every effort in opposition to them; and as we cannot help leading the good people of these states to a retrospect on the events which have taken place since the beginning of the war, so we may recommend in a partieular manner to their observation

the goodness of God in the year now drawing to a conclusion in which the Confederation of the United States has been completed,—

In which there have been so many instances of prowess and success in our armies, particularly in the southern states, where, notwithstanding the difficulties with which they had to struggle, they have recovered the whole country which the enemy had overrun, leaving them only a post or two on or near the sea,—

In which we have been so powerfully and effectually assisted by our allies, while in all the unjust operations, the most perfect harmony has subsisted in the allied army: In which there has been so plentiful a harvest, and so great abundance of the fruits of the earth of every kind, as not only enable us easily to supply the wants of our army, but gives comfort and happiness to the whole people,—

And in which, after the success of our allies by sea, a general of the first rank with his whole army has been captured by the allied forces under the direction of our commander-in-chief.

It is therefore recommended to the several states to set apart the thirteenth day of December next, to be religiously observed as a day of Thanksgiving and Prayer; that all the people may assemble on that day with grateful hearts to celebrate the praises of our glorious Benefactor, to confess our manifold sins, to offer up our most fervent supplications to the God of all grace, that it may please him to pardon our offences, and incline our hearts for the future, to keep all his

laws, to comfort and relieve all our brethren who are in distress or captivity, to prosper our husbandmen, and give strength to all engaged in lawful commerce; to impart wisdom and integrity to our counsellors, judgment and fortitude to our officers and soldiers; to protect and prosper our illustrious ally, and favor our united exertions for the speedy establishment of a safe, honorable, and lasting peace, to bless our seminaries of learning, and cause the knowledge of God to cover the earth as the waters cover the seas.

Done in Congress the 26th day of October, in the year of our Lord, one thousand seven hundred and eighty-one, and in the sixth year of the Independence of America.

THO^{S} M^{C}KEAN, President.

Attest, Chs. Thompson, Secretary.

From Governor Livingston to the Speaker of the Assembly.

Trenton, November 21st, 1781.

Sir,—On my being elected to the government in October 1780, I informed the then Assembly by letter to the Speaker, after having pointed out how greatly I had suffered in the payment of my salary by the depreciation of the money, that I accepted the appointment for the then ensuing year, in confidence that, whatever the salary might be, the honorable House would make it good. As I never received any answer to the terms of the acceptance, I had reason to conclude that their

silence evinced their acquiescence; and as our legislatures are annual, unless every succeeding one thinks itself bound by the engagements of its predecessors, it is certain that all faith in government must necessarily be annihilated. And indeed had I made no intimation whatever on the subject, I cannot presume that the present legislature would think it reasonable that I should be paid the nominal sum stipulated, without any allowance for the depreciation of the money, which would in effect amount to a declaration that my services were not worth above four hundred pounds a year, and that such salary was a sufficient support for any creditable family. As I can assure the honorable House that the augmentation of my fortune was never my object in accepting of any office, so neither ought the House to expect that, besides a man's time,—especially when he devotes the whole of it to the public service, to the necessary neglect of his domestic affairs,—he should also exhaust his private patrimony. That the money is depreciated, sir, is not my fault, but should I be obliged to receive it for what it is not, I should nevertheless bear the punishment. It is probable that the legislature will finally keep its faith respecting its redemption, but that avails not me nor any other public officer who does not hoard up the money on speculation, but must part with it at its current value. To conclude, sir, I rely on the honor and justice of the House: I am not soliciting for favor, only ask for justice. This is due to every man, and that I am persuaded so respectable a body as the representatives of the people of this state will deny to no man.

I have the honor to be, with great respect, sir, your most humble servant,

WIL. LIVINGSTON.

To the honorable the Speaker of the General Assembly of the state of New Jersey.

From the President of Congress to Governor Livingston.

Philadelphia, December 12th, 1781.

Sir,—Although the present aspect of our public affairs is truly favorable, and opens to our view the brightest prospects of a glorious peace and the unmolested possession of the invaluable rights we have nobly dared to contend for, yet a relaxation in our exertions will not only be disgraceful, but may prove dangerous and even fatal to our liberties. Congress on their part are determined to prevent both the one and the other. By their act of the 10th instant, a copy of which I have the honor of inclosing, they call upon the legislature of each state in the most pressing manner to complete the quota of troops assigned to them. The same act also contains several other requisitions, and the whole of such evident magnitude and importance as render it unnecessary to urge any thing more upon the subject. I have the honor, likewise, of transmitting to your Excellency a copy of an act of Congress of the 11th instant, recommending to the legislature of each state to ascertain their number of white inhabitants, as soon as practicable. A foundation for equal justice on a

very important occasion being the object they have in view in desiring this information, your Excellency and the legislature of your state will, do doubt, concur with me in opinion that the business should be accomplished with all possible accuracy and dispatch.

I have the honor to be, with great respect, sir, your Excellency's obedient and very humble servant,

JOHN HANSON, Presid't.

His Excellency, the Governor of New Jersey.

Address of Congress to the States.

December 17th, 1781.

The United States in Congress assembled, to the legislatures of the states of New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

GENTLEMEN,—We are happy to observe that the present year hath been distinguished by the reduction of a powerful British garrison in Virginia, and that our arms have also been prosperous in other parts of the United States. But to infer that our inexorable foe is subdued beyond recovery may be attended with ruinous consequences. These events will yield but momentary advantages unless supported by vigorous measures in future.

From an assurance that peace is best attained by preparations for war, and that in the cabinet of nego-

ciations those arguments carry with them the greatest weight which are enforced not only with a retrospect of important victories, but by a well grounded prospect of future successes. We have called upon you for eight millions of dollars and for your respective deficiency of the military establishment. Seven years have nearly passed since the sword was first unsheathed. The sums expended in so long a period in a just and necessary war must appear moderate, nor can this demand for pecuniary aid be deemed exorbitant by those who compute the extent of public exigencies and the proportion of the requisition to the abilities of the states. Suppose not that funds exist for our relief beyond the limits of these states. As the possessions of the citizens constitute our natural resources, and from a sense of their sufficiency the standard of war was erected against Great Britain, so on them alone we now rely. But even if loans were attainable, their amount would be merely commensurate with our ability and inclination to repay, and by nothing can both be more satisfactorily evidenced than by a generous exertion amidst the languor of public credit.

Arguing from the former dilatoriness of supplies, the enemy after having abandoned serious expectations of conquering by arms, anticipate it in imagination from the dissolution of our public credit. They cannot, however, deny the firmness of the basis of this confederated country, the fruitfulness of its soil, and the industry of its people.

But the want of money is not the only source of our

difficulties, nor do the enemy gather consolation from the state of finance alone. We are distressed by the thinness of our battalions, so vulnerable does the boldness of navigation render the very bosom of these states, so dispersed in some parts is the population, and so rapid our enemy in transportation, that they seize and exhaust large districts before their ravages can be checked. The requisition for the completion of your battalions is therefore not only reasonable but indispensable.

Tardiness in the collection of our troops has constantly encouraged in the enemy a suspicion that American opposition is on the decline. Hence money from time to time is poured into the coffers of our enemy, and the lender perhaps is allured by the prospect of receiving it with an usurious interest, from the spoils of confiscation.

To whom, then, rather than yourselves, who are called to the guardianship and sovereignty of your country, can these considerations be addressed? Joint laborers as we are in the work of independence, duty impels us to admonish you of the crisis. We possess no funds which do not originate with you; we can command no levies which are not raised under your own acts; well shall we acquit ourselves to the world should peace, towards the acquisition of which so illustrious a point hath been gained, now escape our embraces by the inadequacy of our army or our treasure; for an appeal to this exposition of your affairs well demonstrate our watchfulness of your happiness.

We conjure you to remember what confidence we shall establish in the breast of that great monarch who has become a party in our political welfare, by a bold, energetic display of our ability.

We therefore trust in your attention and zeal to avail yourselves at this important crisis of the glorious advantages lately obtained by a full compliance with the requisitions of men and money which we have made to you, the necessity of which hath been pointed out to us by the maturest consideration on the present circumstances of these United States.

By order of Congress,

JOHN HANSON, Presid't.

State of New Jersey.

From Abraham Clark to the Speaker of Assembly.

Philadelphia, December 17th, 1781.

Sir,—Your favor of the 10th to me, and of the 15th to the Delegates, enclosing your instructions, were received yesterday by Mr. Covenhoven. The instructions were laid before Congress, and the matters therein urged are referred to a committe, and will be duly attended to. Upon receiving the instructions relative to the islands in the bay and river Delaware, the applications we were directed to make we all understood was for a settlement of boundaries agreeable to the confederation; and being informed by the delegates of Pennsylvania and Delaware that such an expensive mode of settlement might be avoided, as their states would gladly

come into the measure. This occasioned our delay at that time, and also my letter at the first meeting of the Legislature. Hearing nothing from you for some weeks, we determined to proceed on the business, which I took the liberty to inform you of by letter; but in taking the business up we found ourselves at a loss to discover the real wish and intentions of the Legislature, as the applications directed were different from the mode pointed out in the confederation for settling boundaries. This, Mr. Houston engaged to inform you of, we never once conceived a thought that you doubted your right to the islands contiguous to our shore until meeting with Mr. Treat a few days ago, he informed me of your doubts in that respect, which are confirmed by your letter of the 10th.

We shall at all times pay due respect and attention to any instructions we may be charged with, at the same time think it our indispensable duty to advise you of the difficulties that may probably arise in the prosecution. If a title to the islands and a line of jurisdiction is all that the legislature had in view, they will, I presume, be satisfied by Covenhoven that the business can only be effected by joint concurrence of the states concerned, without any interference of Congress. It is however suggested that your real designs were to establish a precedent for Congress to dispose of all unappropriated crown lands in the several states. This I cannot believe was had in contemplation by you, as we had no intimations of it, but whether true or false will be a most effectual bar to our obtaining any grant for the following reasons. Most of the states having

within their claims large quantities of unappropriated lands, will not agree that Congress shall exercise such a right unless it be over such lands as shall be ceded, and if our application should be considered as a cession of our claims to the islands, they will, if they do any thing, sell them at full value, in which we shall by your application lose what we have a just right to by the law of nations, and settle no precedent to our advantage, which you may be assured will be carefully guarded against. Congress is now represented by only nine states, the jealousies that will arise on an application for a grant will influence most of the states to oppose it on every political principle. Seven states are necessary to concur in every question of the smallest moment, in all wherein there is any appropriation nine states must concur. What chance have we then in the present case? None that I can see but the loss of what we have an indubitable right to, and which we have in our power to hold the peaceable possession of.

As the business before Congress will not at present, and for some days to come admit of a consideration of this matter, we can readily comply with Mr. Covenhoven's desire to let the matter rest for a few days, till you can be informed of the above and such other matters relative thereto as he will be able to communicate.

I have the honor to be, with all due respect, sir, your obed't humble serv't,

ABRA. CLARK.

Hon'e JOHN MEHELM, Esq., Speaker of the Assembly.

P. S. I wish this representation might be communicated to the Council.

Circular.

Philadelphia, January 23d, 1782.

SIR,—Although it may be somewhat out of my province to address your Excellency on a subject not immediately of a military nature, yet I consider it so nearly connected with, and so essential to, the operations under my direction, that I flatter myself that my interference will not be deemed impertinent.

Upon applying to the superintendent of finances to know how far I might depend upon him for the pay, feeding and clothing of the army for the current year, he very candidly laid open to me the state of our moneyed affairs and convinced me, that although the assistances we had derived from abroad were considerable, yet they would be by no means adequate to our expenses. He informed me further that to make up the deficiency, the states had been called upon by Congress for eight millions of dollars for the service of the year 1782, and showed me the copy of a circular letter from himself to the several legislatures, in which he had so fully and clearly pointed out the necessity of a compliance with the requisition, that it is needless far me to say more on that head, than that I entirely concur with him in opinion so far as he has gone into the matter. But there are other reasons which could not be so well known to him as to me, as having come under my observation, and which therefore I shall take the liberty to mention.

Your Excellency cannot but remember the ferment into which the whole army was thrown twelve months

ago for the want of pay and a regular supply of clothing and provisions, and with how much difficulty they were brought into temper by a partial supply of the two first and a promise of more regular supplies of all in future. Those promises the soldiery now begin to claim, and although now we shall be able to satisfy them tolerably with respect to clothing, and perfectly with regard to provisions, (if the financier is enabled to comply with his contracts,) yet there is no prospect of obtaining pay, until a part of the money required of the states can be brought into the public treasury. You cannot conceive the uneasiness which arises from the want of so essential an article as money, and the real difficulties in which the officers in particular, are involved on this account. The favorable aspect of our affairs, and the hopes that matters are in a train to afford them relief, contribute to keep them quiet, but I cannot answer for the effects of a disappointment.

Enabling the Financier to comply with his contracts is a matter of the utmost consequence, the very existence of the army depends upon it. Should he fail in his payments, the contract ceases, and there is no alternative left but to disband or live upon the seizure of the neighboring property. The saving to the public by feeding an army by contract, is too well known to need any illustration, and that alone ought to be a sufficient inducement to the states to find the means of adhering to it.

It will perhaps be urged that the sum called for is immense, and beyond the ability of the country to

pay. There is one plain answer to that objection, should it be made. It is, if the war is carried on, a certain expense must be increased, and that such expense must be drawn from the people, either by a partial, cruel, and I may say, illegal seizure of that property, which lays most convenient to the army, or by a regular and equitable tax in money or specific articles. Money, if it can be procured, is to be preferred, because it is neither liable to waste, nor is it expensive in the mode of collection or transportation; whereas, I think I may venture to say, that a great proportion of the specific articles have been wasted, after the people have furnished them; and that the transportation alone of what have reached the army, has in numberless instances cost more than the value of the articles themselves.

To bring this war to a speedy and happy conclusion, must be the fervent wish of every lover of his country, and sure I am that no means are so likely to effect this, as vigorous preparations for another campaign. Whether then we consult our true interests, substantial economy, or sound policy, we shall find that relaxation and languor are of all things to be avoided. Conduct of that kind on our part, will produce fresh hopes and new exertions on that of the enemy; whereby the war, which has already held beyond the general expectation, may be protracted to such a length, that the people, groaning under the burden of it, and despairing of success, may think any change a change for the better.

I will close with a request that your Excellency will be good enough to take the first opportunity of laying

these my sentiments before the legislature of your state. From the attention they have been pleased to pay to any former requisitions or representations of mine, I am encouraged to hope that the present, which is equally important with any I have ever made, will meet with a favorable reception.

I have the honor to be, with great respect, your Excellency's most obed't and h'ble serv't,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From General Washington to Governor Livingston.

Head-quarters, Philadelphia, Jan. 31, 1782.

SIR,—I have the honor of transmitting herewith, accurate returns of the number of men now in service from your state, in order that measures may be taken for completing the regiments to the full establishment, agreeably to the resolutions of Congress of the 10th of December. I cannot omit so favorable an occasion of expressing to your Excellency my sentiments on this subject, and of entreating in the most earnest manner, that there may be a speedy, pointed and effectual compliance with those requisitions.

It will, I flatter myself, be unnecessary to recapitulate all the arguments I made use of in the circular letter I had the honor to address to the governors of the several states, at the close of the campaign of 1780, in which it must be remembered I took the liberty to urge, from the knowledge I had of our affairs and a series of

experience, the policy, the expediency, the necessity of recruiting the army, as the only probable means of bringing the war to a speedy and happy conclusion. If those arguments had any influence at that time, if the consequent exertions were crowned with success, if the present crisis exhibits new and more forcible inducements for still greater efforts, let me point your Excellency and the legislature to those considerations, and especially let me recommend in the warmest terms, that all the fruits of the success which have been obtained the last campaign may not be thrown away by an inglorious winter of languor and inactivity.

However, at this advanced stage of the war it might seem to be an insult on the understanding to suppose a long train of reasoning necessary, to prove that a respectable force in the field is essential to the establishment of our liberties and independence; yet as I am apprehensive the prosperous issue of the combined operation in Virginia, may have (as is too common in such cases) the pernicious tendency of lulling the country into a lethargy of inactivity and security; and as I feel my own reputation, as well as the interest, the honor, the glory and happiness of my country intimately concerned in the event, I will ask the indulgence to speak the more freely on those accounts, and to make some of the observations which the present moment seem to suggest.

That the broken and perplexed state of the enemy's affairs, and the successes of the last campaign on our part, ought to be a powerful incitement to vigourous preparations for the next; that unless we strenuously exert

ourselves to profit by these successes, we shall not only lose all the solid advantages that might be derived from them, but we shall become contemptible in our own eyes, in the eyes of our enemies, in the opinion of posterity and even in the estimation of the whole world; which will consider us as a nation unworthy of prosperity because we know not how to make a right use of it; that although we cannot by the best concerted plans, absolutely command success; although the race is not always to the swift, or the battle to the strong, without presumptuously waiting for miracles to be wrought in our favor, it is our indispensable duty with the deepest gratitude to Heaven for the past, and humble confidence in its smiles on our future operations, to make use of all the means in our power for our defence and security. That this period is particularly important; because no circumstances since the commencement of the war have been so favorable for the recruiting service as the present, and because it is to be presumed from the increase of population and the brilliant prospects before us, it is in our power to complete the army, before the opening of the campaign; that however flattering these prospects may be, much still remains to be done, which cannot probably be effected, unless the army is recruited to its establishment; and consequently the *continuance* or termination of the war seem principally to rest on the vigor and decision of the states in this interesting point. And finally, that it is our first object of policy, under every supposable or possible case, to have a powerful army in the field, for

we must suppose the enemy are either disposed "to prosecute the war or enter into a negotiation for peace." There is no other alternative; the former position, a respectable army becomes necessary to counteract the enemy and to prevent the accumulating expenses of a lingering war; on the latter, nothing but a decidedly superior force can enable us boldly to proclaim our rights, and dictate the law at the pacification. So that whatever may be the disposition of the enemy, it is evidently our only interest and economy to act liberally, and exert ourselves greatly during the present winter to cut off at once all the expenses of the war by putting a period to it.

And soon might that day arrive, soon might we hope to enjoy the blessings of peace, if we could see again the same animation in the cause of our country inspire every breast; the same passion for freedom and military glory impel our youth to the field, the same disinterested patriotism pervade every rank of men, as was conspicuous at the commencement of this glorious revolution. And I am persuaded only some great occasion was wanting, such as the present moment exhibits, to kindle the latent spark of that patriotic fire into a generous flame; to rouse again the unconquerable spirit of liberty, which has sometimes seemed to slumber for awhile, into the full vigor of action.

I cannot conclude this letter without expressing my full expectation that the several states, animated with the noblest principles, and convinced of the policy of complying faithfully with the requisitions, will be only

emulous which shall be foremost in furnishing its quota of men, that the calculation of the numbers wanted to fill the deficiency, may be so ample, as, (allowing for all the casualties and deductions) will be sufficient certainly to complete the battalions; that the measures for this purpose may be so explicit, pointed and energetic, as will inevitably furnish the recruits in season; and that such checks may be established to prevent imposition in the quality of the men, that no recruits may be accepted, but those who are in fact able-bodied and effective. Should any of a different description be sent to the army they must be rejected, the expenses thrown away, and the service injured, though others are required to fill their places; for it is only deceiving ourselves with having a nominal instead of a real force and consuming the public provisions and clothing to no effect, by attempting to impose decrepit or improper men or boys upon us as soldiers.

With the highest respect I have the honor to be, sir, your Excellency's most obedient, humble servant,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From General Washington to Governor Livingston.

Head-Quarters, Philadelphia, March 5th, 1782.

SIR,—The operations of the next campaign being contingent, depending in a great degree upon measures which are not within my controul, and very much upon the plans of the enemy and their efforts to carry them

into execution, it is impossible for me at this time to say whether any or how many militia the states in this part of the continent may be called upon to furnish for the purposes of the ensuing campaign; but as I persuade myself it is the wish of every one of them to see a vigorous offensive plan prosecuted, with a view of terminating the war honorably and speedily; it becomes my duty to inform that, the continental force (admitting the battalions should be completed) aided by any auxiliary troops that I have any expectations of, is totally inadequate to the first and great object which presents itself to our view; and therefore it may be essential to my future plan that the executive powers of the states should be (if they are not so already) vested with sufficient authority to call forth, properly equipped, such a body of militia as the exigencies of the service may require;—the demand will not be made but in case of necessity, and will be postponed as long as possible. The consequences therefore of the want of such powers, or of the delay occasioned by calling an Assembly, in such an emergency might prove fatal to our operations, and injurious to our cause.

I need not add how much it is my wish and desire, and how much the public interest will be promoted by it, that the continental regiments should be completed—every man of which these are deficient will add to the draughting and doubly to the public expenses—while these troops will not be so competent to the purposes for which they are wanted, to say nothing of the disadvantages which agriculturers and manufacturers will

sustain by having the laborers and artisans called off from their work.

I would beg leave to suggest that the longer term the militia can be drawn out for, the more beneficial and less expensive will their services be; and that, in case of a siege, they ought to be engaged during the continuance of it, or until relieved by an equal number, so that the operating strength may not be diminished at a critical moment, when it may be most wanted.

I have the honor to be, with the greatest respect and esteem, your Excellency's most obedient servant,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From General Washington to Governor Livingston.

Head-Quarters, May 4th, 1782.

SIR,—I find myself arrived at that period at which I hoped to have seen the battalions of the several states completed to their full establishment, in conformity to the requisitions of Congress of December last.

From the returns of recruits which I have been able to obtain, I am very sorry to observe that my expectations in this respect are almost totally disappointed.

All my accounts from Europe concur in declaring that the British king and ministry are still determined to prosecute the war. It becomes therefore our decided duty to be prepared for these hostile intentions in whatever way they are to be carried into execution, to do which our utmost exertions will be called for. You

will suffer me therefore to intreat that if your state have any expectations from the military operations of this season, not another moment may be lost in providing for and carrying into most effectual execution the full completion of their battalions. It is scarcely necessary to inform you that on this expectation all my calculations must be formed, and on this event will depend all the hopes of the ensuing campaign.

My intelligence of the actual aid which we may expect from our allies, is not so explicit as to lead me to decide absolutely on the mode of operations for the campaign, but were our expectations of support from that quarter ever so promising, yet from the negligence and languor of the states from whence our own exertions are to spring, I am not at this day enabled to give any assurance of our being prepared to co-operate with our allies in any great objects, equal to their expectations or our own ability.

I am sorry to acquaint your Excellency that I have the best authority to inform you that the court of France is much dissatisfied with this want of vigor in the states, and with that disposition which appears willing at least, if not desirous, to cast all the burden of the American war upon them. Waving the justice and impolicy of such a temper (which to me appear very conspicuous) how humiliating is the idea of placing upon others our dependence for support beyond that point which absolute necessity dictates. How discouraging to our allies, and how dishonorable to ourselves, must be our want of vigor and utmost exertion at a

time when if we are not wanting to ourselves our prospects are the fairest that our wishes could extend to.

I am sorry to find from the proceedings of the several states, that their calculations of deficiencies, formed on application made to the towns who furnish the men, are greatly different from the returns sent from the army. I forbear to mention many reasons which might be assigned to produce this difference, and which in my opinion originate principally within the states, and will content myself with this one observation, that should the states deceive themselves in this respect and fail to furnish the expected force in the field, they will not only cast an essential injury on the army, but the unhappy consequences of a failure in our military operations will reverberate upon themselves, whilst recrimination will have no effect towards alleviating our protracted misfortunes and distress.

Although money matters are not within the line of my duty, yet as they are so intimately connected with all military operations, and being lately informed by the financier, in answer to some small requisitions on him, that he has not yet received one penny in money from any one state upon the requisition for the 8,000,000 dollars, but that on the contrary some states are devising ways to draw from him the small sums he has been able otherwise to obtain, and that he is now but scarcely able to *feed* the army from hand to mouth:—I cannot forbear to express my apprehensions from that quarter; and to urge with all the warmth of zeal and earnestness that most pointed and spirited attention of your state to

the actual raising and collecting their proportion of the mentioned requisition. Upon the present plan of non-compliance to requisitions for men and supplies, let me seriously ask your Excellency how is it possible to support an army in money or recruits? how is it possible for us to continue the war? to what a wretched state must we soon be reduced? how dangerous is it to suffer our affairs to run at hazard? and to depend upon contingencies. To what do the present measures tend, but to the utter ruin of that cause which we have so long and so nobly supported, and to crush all the fair hopes which the present moment places before us, were we only to exert the power and abilities with which Providence has so bountifully blessed this country. But if the states will not impose, or do not collect and apply, taxes for the support of the war, the sooner we make terms the better. The longer we continue a feeble and ineffectual war, the greater will be our distress at the hour of submission. For my own part I am fully convinced that without the means of execution no officer, whoever he may be, who is placed at the head of the military department can be answerable for the success of any plans he may propose or agree to. Upon this subject I will only add that from past experience and present prospects I am persuaded that if the states would furnish the supplies agreeable to late requisitions, and would suffer the pay, clothing and subsistence of the army to go through one common channel, that two thirds of their former expenses would be saved, and many partialities, discontents and jealousies which

now subsist would be removed, and an establishment of order, regularity and harmony in our public affairs would take place, which cannot arise from the present disjointed and different systems of finance which are adopted by separate states.

While acting in my military capacity I am sensible of the impropriety of stepping into the lines of civil polity. My anxiety for the general good, and an earnest desire to bring this long protracted war to a happy issue,—when I hope to retire to that peaceful state of domestic pleasure from whence the call of my country has brought me to take an active part, and to which I most ardently wish a speedy return,—I hope will furnish my excuse with your Excellency and the legislature when I request your pardon for this trespass.

If I should have occasion for the militia of your state, the call will be sudden, and their movements must be rapid, otherwise great expense will accrue and disgrace and disappointment will ensue. For these reasons I beg leave to recall your Excellency's attention to my letter of the 5th March last, and to pray most earnestly that every previous arrangement may be taken to facilitate their march when requested.

I have the honor to be, sir, your Excellency's most obedient servant,

G° WASHINGTON.

His Excellency, Gov'r LIVINGSTON.

From General Washington to Governor Livingston.

May 8th, 1782.

SIR,—Since writing the above I have been furnished with sundry English and New York papers containing the last intelligence from England, with the debates of Parliament upon several motions respecting the American war. Lest your Excellency may not have been favored with so full a sight of these papers as I have been, I take the liberty to mention that I have perused these debates with great care and attention, with a view if possible to penetrate their real design. And upon the most mature deliberation I am obliged to declare it as my opinion that the measure in all its views, so far as it respects America, is merely delusory, having no serious intent to admit our independence, but is calculated to produce a change of ministers, to quiet the minds of their own people, and reconcile them to a continuance of the war,—and is meant to amuse this country with a false idea of peace to draw us off from our connection with France, and to lull us into a state of security and inactivity, which taking place, the ministry will be left to prosecute the war in other parts of the world with greater vigor and effect.

Your Excellency will permit me on this occasion to observe that if even the nation and parliament are really in earnest to obtain peace with America, it will undoubtedly be wisdom in us to meet them with great caution and circumspection, and by all means to keep our arms firm in our hands, and instead of relaxing one

iota in our exertions, rather to spring forward with redoubled vigor, that we may take advantage of every favorable opportunity, until our wishes are fully obtained. No nation ever suffered in treaty by preparing even in the hour of negotiation most vigorously for the field.

The industry which the enemy are using to propagate these pacific reports is to me a very suspicious circumstance, and the eagerness with which the people as I am informed are catching at them, is in my opinion equally dangerous.

I am your Excellency's most obed't servant,

G° WASHINGTON.

His Excellency, Governor LIVINGSTON.

From Robert Morris to Governor Livingston.

Office of Finance, July 29th, 1782.

SIR,—Finding that several states are still in the habit of making partial payments to their troops, as well as of expending monies for the purchase of clothing, it becomes my duty to inform you that the requisitions for the service the current year included both the pay and clothing of the continental army. Any payments which the several states may think proper to make, or any expenditures for clothing or the like, cannot be admitted in deduction from the quota assigned them. It becomes necessary for many reasons which I will not trouble your Excellency with the enumeration of, that nothing be received from the states but money. This alone can prevent those intricate accounts which hith-

erto have involved every thing in a labarynth of confusion. Had the states complied with the requisitions made on them for the current service in any degree proportionate either to the magnitude and urgency of the occasion, we should ere this have had the pleasure of knowing that our army enjoyed all the emoluments they have a right to ask for. I take the liberty to add that it would be proper to cause accounts to be transmitted to the Paymaster General as speedily as possible of what has been advanced for pay, that he may at least prevent a double credit for the same sums. With respect to the pay which may have become due anteriorly to the first day of January 1782, it will become a part of that debt from the United States, for the funding of which revenues will be required from the several states, so soon as Congress shall have digested their relutions on that subject.

I have on many occasions delivered the sentiments contained above to several of the states, as circumstances called or occasion required, but it appears necessary to make the formal communication to all, and therefore I must pray your Excellency to excuse my repetitions which may have happened.

Before I close this letter I must observe, sir, that of four millions payable according to the requisitions of Congress, by the first instant, I did not receive forty-thousand dollars. Judge then of the anticipations which were necessary to bring us where we are. Judge of the situation in which we are placed; and be not surprised at any consequences which may follow from

that universal neglect which is alike unaccountable and inexcusable.

I have the honor to be, with very great respect, sir, your Excellency's most obedient and humble servant,

ROBT MORRIS.

His Excellency, Governor of New Jersey.

From Robert Morris to Governor Livingston.

Office of Finance, 30th July, 1782.

SIR,—I do myself the honor to enclose the extract of a letter received from a confidential correspondent in one of the United States. The evil there mentioned is of so dangerous a nature, that should it prevail in any degrees the consequences may be fatal. I know that the selfish spirit there complained of is but too prevalent, and it is not very long since I bore my testimony against it, from a just apprehension that the safety of our country might be thereby endangered. If it is of consequence that a war which has cost already so much blood and treasure, be safely and honorably concluded, it must be vigorously prosecuted. If it is to be vigorously prosecuted, the means must be granted. If the means are to be granted, the several states must contribute speedily and effectually. If one has a right to prefer local to general interests, others have the same right. If one exercise that privilege, so may all, and if all do there is an end of our efforts. Congress had foreseen the danger and called on the states to provide for collecting the continental separate from the state taxes. Since this

has not been done perhaps the reasons of the refusal may account for the facts stated in the extract. I must pray of your Excellency to provide such remedy to anything of this sort which may exist in your state, as shall be within your power, and that you will urge the legislature to make that solid provision which can alone prevent it in future.

I have the honor to be, sir, your Excellency's most obedient and humble servant,

ROB'T MORRIS.

His Excellency, Governor LIVINGSTON.

[*Extract Enclosed.*]

"The Assembly when they granted a tax for continental purposes, direct the collection through the same channels in which state taxes are collected; this in most instances makes the same person collector both of the state and continental tax, and the executions to enforce both the one and the other, issue from the same person, viz. the treasurer of the state; the consequence is that a preference will be given to taxes for state purposes; and if no urgent necessity requires issuing executions for state taxes, there will be danger of delaying the execution of the continental taxes, and the more popular the government is, the greater will their danger be increased; and whenever the same person is in arrear on different taxes, he will apply all his collections to that which will give him the longest time to collect in.

I should not have troubled you on this subject, but I

see the collectors in this state of the continental taxes are, in general, in arrear on every state tax granted since 1776, and to my full satisfaction are applying the monies collected on the continental taxes to the paying arrears of their old state tax, by which means you will be postponed to all the state dues, and be defeated of your just expectation, unless some remedy be immediately applied."

From Abraham Clark to Joseph Cooper,

Philadelphia, September 16th, 1782.

Sir,—The legislature of Pennsylvania have appointed Judge Bryan, Mr. Bingham, and Mr. Gray, Commissioners for dividing the islands and settling the jurisdiction of the river Delaware, but have not completed their instructions which are now under consideration. As our legislature will meet this week, they will, it is presumed, instruct their commissioners; which appears necessary, as their appointment does not appear to convey any power more than obtaining information and reporting the same; this may also be necessary to undergo a revision. The business may be easily accomplished if two matters can be agreed to. One is a reciprocal jurisdiction on the navigable part of the Delaware; this I mentioned to you as in my opinion necessary, since which I am told the same sentiments prevail here. This is intended to grant jurisdiction to each state over vessels belonging to the same, and

over persons going therefrom to the other, while on the river. The other matter is the island opposite to Philadelphia, which I believe will be strongly insisted upon to belong to them, and I can see no reason for rejecting their claim, as it is of importance to them and none to us, unless we should wish to have it purely to injure Pennsylvania, without any advantage resulting to New Jersey. In this settlement I consider the island as belonging to no state, and the convenience of both must be attended to. No difficulty, I believe, will attend the division of the other islands; and I suppose some equivalent might be obtained for the island above alluded to.

These matters I mention to you to obtain instructions thereon from the legislature when they meet, as otherwise we should be at a loss how to conduct.

I hope you will communicate this to Dr. Henderson, and consult him previous to any communication to the legislature.

I must inform you that what I have said respecting the desires or intentions of Pennsylvania, I have not learned from the commissioners, but from other gentlemen who have conversed with me upon the subject, but who, I believe, delivered the sentiments of the commissioners.

Delaware had instructed their delegates respecting the islands and jurisdiction of the Delaware, which upon examination do not appear to convey powers necessary for effecting anything. The proceedings of our legislature I have communicated to Governor Dickinson

who promised to lay the same before the legislature of Delaware at their meeting this fall.

I am, sir, your humble servant,

ABRA. CLARK.

JOSEPH COOPER, Esq.

From Abraham Clark to the Speaker of the Assembly.

Philadelphia, September 26th, 1782.

SIR,—I find myself obliged to mention to your honorable House, my concern for the present state of the old emissions of paper money, as the public in general, and New Jersey in particular, may be greatly affected by it. This money I have reason to believe hath been purchased by foreigners as a matter of speculation, and may one day be demanded of us by the nations to which they belong, to redeem as good, upon the supposition it was received as such, the contrary of which cannot perhaps be proved. This is not all; New Hampshire some how or other collected into their treasury five millions of dollars more than their quota to sink; Massachusetts and Rhode Island have also a large surplusage in their states if not in their treasuries. They request that we receive such surplusage crediting them either at the rate of forty to one in specie, or at the rate the same passed when received, which might be 70 or 75, and charge such sum in specie at that rate upon the delinquent states. Nothing of this kind, though attempted, hath been done by Congress, perhaps it never may, but while matters rest as at present, a gen-

eral discontent prevails to the eastward, so far as to threaten a stoppage of taxes on that account. I find by the treasury books that New Jersey is credited for 6,334,335 dollars, paid in and sunk; exclusive of this were 6,196 dollars counterfeit sent back to the law officer; as also $554\frac{6}{9}\frac{3}{6}$ dollars, noted as improper money to be sent back. Thus much I thought proper to inform of, that the legislature may know how much of the quota of our state remains unsunk, in order that such further measures may be pursued as the interest and circumstances of the state may require.

I wished to have it in my power to transmit the exact state of the public debts already funded, but as the accounts now making out are not yet completed, I can say no more on that subject than that the domestic loans are completed at something upwards of twelve millions of specie; the foreign loans computed at twenty-eight millions of livres. I must also take the liberty of mentioning a matter which greatly embarrasses Congress, I mean that relative to the half-pay of officers. This was engaged by Congress previous to the final ratification of the confederation, but not agreed to by the number of states, as became necessary for such a measure after that event took place. The New England states positively refuse a compliance. The delegates of New Jersey are also restrained by the sense of legislature long since expressed. Five states are sufficient to prevent any appropriations of money for that purpose, which requires the concurrence of nine states. In this affair the disagreeing states do

do not mean to commit such a breach of public faith as to deprive the officers of their just dues; all desired is, that the officers may be referred to their respective states to receive their pay, or such other compensation as the legislature may judge proper, without making the same a continental charge.

Each state taking upon themselves the satisfying their own officers, this will be just in many respects, and I believe will give satisfaction to the officers, for it cannot be supposed the legislatures will refuse justice to their own citizens; and by this measure they can secure the application of their own money. States which have been multiplying their officers and send little or no money into the public treasury, wishing to draw pensions for their citizens from the other states, will of course be opposed to this measure. This subject I hope will be duly considered by the legislature, and their opinion therein communicated to their delegates.

The representation of the legislature brought by Col. Ellis was presented this morning, and referred to the superintendent of finance, who I have requested to consider and report thereon as soon as possible.

I have the honor to be, sir, your obedient, humble servant,

ABRA. CLARK.

Hon'ble JOHN MEHELM, Esq., Speaker of the Assembly.

From Dr. Franklin to Robert Morris.

Passy, Dec. 14th, 1782.

SIR,—I received duly your several letters of Sept. 25th, 27th, 28th, and 30th, October 1st, 5th, 7th, all by Capt. Barney, and Oct. 27th since. I immediately made the application so strongly pressed by the Congress for a loan of four millions dollars. I annexed to my memoir the resolves of Congress, with copies and extracts of your several letters and those of Mr. Livingston upon the subject, all of which appeared to me extremely well written for enforcing the request. I was at first told that it would be a difficult thing to furnish such a sum at present, but it should be considered. It was much wondered that no letters were brought by the Washington for M. le Comte de Virgennes, as several were come to the Secretary of War, M. de Segur, and to the Marquis de Castries, Secretary of the Marine; and the next time I waited on the minister I was told that nothing could be done till the dispatches from M. de la Luzerne were received. I enquired of Capt. Barney, who told me he believed M. de Forest had them, who left him to go for Paris by way of Nantes. M. de Forest was a week or ten days before he arrived at Paris, and he had not the dispatches. After a fortnight had thus passed, I sent Capt. Barney down to search for them in his ship; he there found them, and in about eight days more they arrived and were delivered. I have since continually pressed for a favorable answer. The Marquis de la Fayette

has likewise been importunate, but we could only learn that there was yet no decision. The negotiations for peace were going on, and I ascribed the delay partly to the uncertainty of the event, which might make a less sum sufficient if it succeeded, or a greater necessary if the war was still to be continued. I believe, too, that the new loan meditated for this government, but not ascertained, might occasion some suspension. But whatever are the causes, the fact is, that though I understand we are to be aided, I am still ignorant what the quantum will be or when it can be obtained. I have detained Capt. Barney, hoping that he might carry a part of it, but seeing that so very uncertain, the commissioners for the treaty here urge me to send him away with the preliminary articles, and take some other opportunity of sending money when we get it. Perhaps we can make use of the Alliance, which is now out upon a cruize.

Of the amount of Mr. Adams' loan in Holland, I have no certain account. He thinks it may be between 15 and 1,700,000 florins. Mr. Grand has obtained a part of it to pay the interest of the Dutch loan, which is done. But he will acquaint you better the state of his funds than I can do. He tells me he will restate his accounts as you desire.

The shipping of the stores from Brest is wholly in the hands of Mr. Barclay. He will likewise take care of those which are unloaded out of the three transports at Rochefort that were to have gone with convoy in May last, and have ever since been detained there un-

accountably, which I did not know till lately. The four Jamaica ships brought in by the Alliance will furnish him with money for paying charges.

The accounts of goods bought to replace the Fayette's cargo having been sent you by several opportunities, I hope you have them before this time.

I am extremely glad to be freed from your money accounts, and the payment of bills. And I hope this will be the last application I shall be charged with to borrow. In a former letter I requested you to be my attorney, to receive and remit my salary, which I now repeat. The friends of the Duc de Lauzun, who is an officer in the French army, having occasion to send him some money, requested me to furnish bills. To oblige them I gave a draft on you for six thousand livres, which I request you will honor, and deduct the same out of my salary. Methinks Mr. Grand should have some general order to defray the contingent expenses of your ministers. I am concerned that the resolution of appointing some person to settle all our accounts in Europe has not yet been carried into execution. They certainly cannot so well be settled in America, and I shall think it hard after I am out of place to be detained here on that account for years like poor unhappy Deane, who, by the way, is I think in that respect hardly dealt with. Settlement of accounts and payment of just balances is due even between enemies.

I know not where the Virginia stores lie; I will enquire and acquaint Mr. Barclay with your resolution concerning them, which I think very prudent. Penet,

who was employed by that state as an agent to borrow money here, is broke and absconded. His creditors are all worrying me with their complaints, who have nothing to do with his affairs. I have long since mentioned the inconvenience of the attempts of separate states to borrow money in Europe. They have hurt our credit and produced nothing. We have put faith in every adventurer who pretended to have influence here, and who when he arrived had none but what our appointment gave him. I congratulate on the tokens of approaching peace. I wish nothing may happen to prevent it.

With sincere and great esteem I am, sir, your most obedient and most humble servant,

B. FRANKLIN.

Hon'ble Robt. Morris, Esq.

From Robert R. Livingston to Governor Livingston.

Philadelphia, March 18th, 1783.

Sir,—Congress a few days since directed me to transmit to your Excellency a copy of the provisional treaty of peace between the United States and Great Britain. I should done it at an earlier day without any particular direction, had not an order passed in Congress for furnishing the Delegates of each state with a copy, that it might be transmitted through them. In conformity to the second direction, I have the honor to enclose a copy, though I have no doubt that I have been already anticipated by that forwarded by the del-

egates of your state. Yet, sir, this letter may not be entirely useless when it assures you that the conclusion of the treaty is very uncertain. My public letters are of such a nature as not to free me from apprehensions that Britain still seeks rather to divide her enemies than to be reconciled to them, though this suspicion may not perhaps be well founded, yet such conduct is so conformable to the general tenor of British councils, to the character of the king and his first minister, that it is at least the part of prudence to be upon our guard against it.

But whatever their intentions may be, the peace must still depend upon so many contingencies that no prepapation for another campaign should be omitted on our part, none is neglected by our antagonist. They have voted one hundred and ten thousand seamen for the ensuing year. France continues her preparations, and will not close the war till she can obtain honorable terms for her allies. But little progress was made in their negotiations when my letters were written.

Count de Vergennes has thought it prudent to advise Congress of this circumstance, that they might be prepared for every event. I communicate it to your Excellency with similar views. I doubt not you will avail yourself of this information to urge the state in which you preside, to take such measures that they may not be found unprovided in case our hopes of peace should be frustrated.

It would give me pleasure to learn the measures that have been adopted, in consequence of the requisition

made in my letters to your Excellency, or your predecessors in office at different periods, relative to my department. and more particularly to receive the accounts so frequently called for of the damage done by the enemy in your state. I have reason to think had it been furnished in time, it might have been of singular use to our ministers, and perhaps have tended to obtain some relief for the sufferers. It may not yet come too late to be useful, let me pray your Excellency to take measures for furnishing three authentic copies by the earliest opportunity.

I have the honor to be, with great respect, your Excellency's most obed't humble servant,

ROBT. R. LIVINGSTON.

His Excellency, Wm. Livingston.

From Robert Morris to Governor Livingston.

Office of Finance, June 5th, 1783.

Sir,—Congress having directed a very considerable part of the army to be sent home on furlough, I am pressed exceedingly to make a payment of three months' wages, and I am very desirous to accomplish it; but the want of money compels me to an anticipation on the taxes by making this payment in notes. To render this mode tolerably just or useful, the notes must be punctnally discharged when they fall due, and my dependance must be on the money to be received of the several states on the requisitions for the last and present year. I hope the urgency of the case will produce the desired

exertions, and finally enable me to preserve the credit and honor of the federal government.

I have the honor to remain your Excellency's most obedient and very humble servant,

ROBT MORRIS.

His Excellency, the Governor of New Jersey.

From General Washington to the President of Congress.

Head-Quarters, June 7th, 1783.

SIR,—I have the honor to enclose to your Excellency the copy of an address to me from the Generals and officers commanding regiments and corps, together with my answer to them. These enclosures will explain the distresses which resulted from the measures now carrying into execution., in consequence of the resolutions of Congress of the 26th of May; but the sensibility occasioned by a parting scene under such peculiar circumstances will not admit of description.

The two subjects of complaint with the army, appear to be the delay of the three months' pay, which had been expected, and the want of a settlement of accounts. I have thought myself authorized to assure them Congress had and would attend to their grievances, and have made some little variation respecting furloughs from what was at first proposed. The Secretary at War will be able to explain the reason and propriety of this alteration.

While I consider it a tribute of justice on this occa-

sion to mention the temperate and orderly behavior of the whole army, and particularly the accommodating spirit of the officers, in arranging themselves to the command of the battalions which will be composed of the three years men, permit me to recall to mind all the former sufferings and merits, and to recommend the reasonable requests to the early and favourable notice of Congress.

I have the honor to be, with the highest respect, your obed't servant,

G° WASHINGTON.

His Excellency, the President of Congress.

General W. Heath, in behalf of the Generals, &c., to General Washington—enclosed in the foregoing.

Sir,—It is difficult for me to express the regret we feel at being obliged again to solicit your Excellency's attention and patronage. Next to the anguish which the prospect of our own wretcheduess excites in our breasts, is the pain which arises from a knowledge of your anxiety on account of those men who have been the sharers of your fortunes, and have had the honor of being your companions through the various vicissitudes of the war, Nothing therefore but necessity could induce us to a representation which we know must give you concern.

Your Excellency has so intimate a knowledge of the condition of the army as to render a particular delineation unnecessary. As you have been a witness of our

sufferings during a war uncommon in its nature and unparalleled in many circumstances attending it, so you are now, sir, no less a witness of the unequal burthen which has fallen upon us from the want of that provision to which, from our assiduous and unremitting services, we conceive we are entitled. Having recently expressed our sense of what was due to our distress; having repeated, from your Excellency, the confidence we had that our accounts would be liquidated, the balances ascertained, and adequate funds provided for payment previous to our being dispersed or disbanded; having seen with pleasure the approbation which Congress gave of our reliance, it is with a mixture of astonishment and chagrin that we view the late resolve of Congress, by which the soldiers for the war, and a proportionate number of officers are to be furloughed, without any one of those important objects being accomplished:—and to complete the scene of woe, are to be compelled to leave the army without the means of defraying the debts we have necessarily incurred in the course of service, or even of gratifying those menials in the pittance which is their due, much less to carry with us that support and comfort to our families of which from our long military services they have been deprived. No less exposed then to the insults of the meanest followers of the army, than to the arrests of the sheriff, deprived of the ability to assist our families, and without an evidence that anything is due to us, for our services, and consequently without the least prospect of obtaining credit for even a temporary subsistence until

we can get into business. To what quarter can we look? We take the liberty to say, sir, only to your Excellency; and from the sincerity of our hearts, we do it no less from a persuasion of the efficiency of your farther efforts in our favor, than from the kind assurance you have been pleased to give us of your support.

To your Excellency, then, we make our appeal, and in the most solemn manner, from that abhorrence of oppression and injustice which first unsheathed our swords; from the remembrance of the common dangers through which we have passed, and from the recollection of those astonishing events which have been effected by our united efforts; permit us to solicit your further aid, and to entreat that the order of the 2d instant, founded on the act of Congress of the 26th of May last, may be suspended or varied in its operations, so far as that no officer or soldier be obliged to receive a furlough, until that honorable body can be apprized of the wretched situation into which the army must be plunged by a conformity to it;—that your Excellency will endeavor to prevail on Congress—nay that on the principles of common justice you will insist, that neither officer nor soldier be compelled to leave the field until a liquidation of accounts can be effected, till the balances are ascertained, certificates for the sums due given,—including the commutation of half pay to the officers, and the gratuity of eighty dollars to the soldiers, and till a supply of money can be furnished sufficient to carry us from the field of glory with honor to ourselves, and

credit to our country. We still wish to believe that that country to which we have been so long devoted, will never look with indifference on the distresses of those of her sons who have so essentially contributed to the establishmeut of freedom, the security of property, and the rearing of an empire.

In the name and behalf of the generals and officers commanding regiments and corps in the cantonment of Hudson River,

I have the honor to be your Excellency's most obedient and humble servant,

W. HEATH, Major General.

His Excellency, Gen. WASHINGTON.

From General Washington to General Heath, enclosed in the foregoing Letter to the President of Congress.

Head-Quarters, June 6th, 1782.

SIR,—Before I make a reply to the subject of the address of the generals and officers commanding the regiments and corps of the army presented by yourself yesterday, I entreat that those gentlemen will accept my warmest acknowledgements for the confidence they have been pleased to repose in me. They may rest assured it shall never be abused, and I beg they will be persuaded that as no man can possibly be better acquainted than I am with the past merits and services of the army, so no one can possibly be more strongly impressed with their present ineligible situation, feel a

keener sensibility at their distresses, or more ardently desire to alleviate or remove them. But it would be unnecessary perhaps to enter into a detail of what I have done, and what I am still attempting to do in order to assist in the accomplishment of this interesting purpose. Let it be sufficient to observe, I do not yet despair of success, for I am perfectly convinced the states cannot, without involving themselves in national bankruptcy and ruin, refuse to comply with the requisisitions of Congress, who, it must be acknowledged, have done everything in their power to obtain ample and compleat justice for the army, and whose great object in the present measure undoubtedly was by a reduction of expenses, to enable the financier to make three months' payment to the army, which, on all hands, has been agreed to be absolutely and indispensably necessary. To explain this matter I beg leave to insert an extract of a letter from the Superintendent of Finance, dated the 29th ultimo.

"It is now above a month since the committee conferred with me on that subject, and I then told them no payment could be made to the army, but by means of a paper anticipation, and unless our expenditures were immediately and considerable reduced, even that could not be done. Our expenditures have nevertheless been continued, and our revenues lessen, the states growing daily more and more remiss in their collections; the consequence is, that I cannot make payment in the manner first intended, the notes issued for this purpose would have been payable at two, four, and six months

from the dates, but at present they will be at six months, and even that will soon become impracticable, unless our expenses are immediately curtailed. I shall cause such notes to be issued for three months' pay to the army, and I must entreat, sir, that every influence be used with the states to absorb them, together with my other engagements, by taxation."

Three days ago a messenger was despatched to me to urge the necessity of forwarding these notes with the greatest possible expedition. Under this state of circumstances I need scarcely add, the expenses of every day feeding the army will increase very considrably the inability of the public to discharge the debts already incurred, at least for a considerable time to come.

Although the officers of the army very well know my official situation; that I am only a servant of the public, and that it is not for me to dispense with orders which it is my duty to carry into execution; yet as furloughs in all services are considered as a matter of indulgence and not of compulsion; as Congress, I am persuaded, entertain the best disposition toward the army, and as I apprehend in a very short time the two principal articles of complaint will be removed,—until the further pleasure of Congress can be known I shall not hesitate to comply with the wishes of the army,—under these reservations only, that officers sufficient to conduct the men who choose to receive furloughs will attend them either on furlough or by detachment. The propriety and necessity of this measure must be obvious

to all; it need not therefore be enforced. And with regard to the non-commissioned officers and privates, such as from a peculiarity of circumstances wish not to receive furloughs at this time, will give in their names by 12 o'clock to-morrow to the commanding officers of their regiment, that, on a report to the adjutant-general, an equal number of men engaged for three years may be furloughed, which will make the saving of expenses exactly the same to the public.

I cannot but hope the notes will soon arrive; and that the settlement of accounts may be compleated by the assistance of the paymasters in a very few days. In the meantime I shall have the honor of laying the sentiments of the generals and officers commanding regiments and corps before Congress. They are expressed in such a decent, candid and affecting manner, that I am certain every mark of attention will be paid to them.

I have the honor to be your obed't serv't,

G° WASHINGTON.

Major-General HEATH.

From Robert Morris to Governor Livingston.

Office of Finance, July 11th, 1783.

SIR,—I do myself the honor to inclose to your Excellency a state of the public accounts, balanced on the last day of June, 1783. A view of these accounts will render it unnecessary to make many observations.

On the states I am to rely for payment of the antici-

pations, amounting, as you will see, to more than a million. And you will observe that this great anticipation has been made for that service which all affect to have so much at heart—a payment to the American army. If they had received no pay during the year 1783, I might have perhaps have been spared the necessity of this application, because it is probable that the taxes, even as they are now collected, might have absorbed such anticipations as I should then have been obliged to make.

Much pains have been taken to inculcate the idea that we have funds in Europe; those funds which we had there are exhausted, and the general apprehension that no proper funds here will be provided has cut off all hopes from that quarter.

The question has frequently and industriously been asked, what becomes of the monies which are paid in taxes? I have furnished the means of judging as to those which reach the public treasury, to every man employed in the administration of government in the several states, for my acounts have been regularly transmitted. And I would not have mentioned the insinuation had it not been for the purpose of observing that it is incumbent on all those who are desirous of forwarding a collection of taxes, to show a fair appropriation, and not suffer groundless clamors to disturb the public mind. It has been said that there is no necessity of urging the collection of taxes now, because the notes given to the army are not payable in less than six months. This again, is an assertion, whose mischiev-

ous operation is levelled at the very vitals of our credit. One month of that time is already expired with respect to all those notes which have been already issued. They are not the only notes in circulation. Notes are not the only modes of anticipation, which have been adopted; and it is a serious fact that unless more rigorous measures take place, the credit of all notes, and of everything else, must be destroyed. But this is not all. Supposing, a moment, that the notes given to our army were the only object whose credit was to be attended to. Can any reasonable man imagine that they could be of any use if the payment were to depend on taxes which are not to be collected until the notes were due? I have not been wanting on my part in pointing out from time to time the mischiefs which must ensue from neglect. The applications have met with inattention which personally I have disregarded, but which I could not but feel from the consequences involved in it. Again, in compliance with the duty I owe to the United States, I call for that aid to which they are entitled to. And on this occasion I take leave to observe that the moment is very fast approaching which is to determine whether America is entitled to the appellation of Just, or whether those who have constantly aspersed her character are to be believed.

With perfect respect I have the honor to be, sir, your Excellency's most obedient and humble servant,

ROBT MORRIS.

His Excellency, the Governor of New Jersey.

From Robert Morris to Governor Livingston.

Office of Finance, July 28th, 1783.

Sir,—Having already transmitted the public accounts from the commencement of my administration to the first day of this month, I shall not trouble yonr Excellency with a repetition of them. But I must pray your indulgence while I make a few observations. Perhaps this letter may contain too much of egotism, but your candor will excuse me when the motive is known. If I have rendered any services to the United States they have been derived from the generous confidence of my countrymen. This confidence must not be abused, and if it be lost my utility is at an end.

The accounts will shew to any informed and reflecting mind that the public monies were economically applied, and if farther proof were necessary I could appeal to the honorable delegates in Congress, who have every opportunity of investigation. I might also appeal to the clamors against me for opposing claims I could not properly comply with. Long have I been the object of enmities derived from that origin. I have therefore the right to consider such clamors and such enmities as the confession and the evidence of my care and attention.

But, sir, from the same accounts, it will appear that on the thirtieth day of June last, my payments had exceeded the amount of my receipts by more than a million of dollars. How indeed could it be otherwise, when all the taxes brought into the treasury since 1781

did not amount to seven hundred and fifty thousand dollars. I have been propelled to this heavy anticipation by an earnest desire to relieve our army by the General's warm representations on the subject, and, above all, by the directions of Congress and their assurances of support. The enclosed letter to them will shew my desire to reduce our expences. But while I urge the reduction of expence, it is equally my duty to urge an increase of revenue. If I have been a faithful steward of what was entrusted to me, if more became necessary than I ever received, and if urged by that necessity I have anticipated the receipts, surely I am in the strictest line of propriety when I loudly call for relief. Every one must know that the paper I have circulated will lose its value unless punctually redeemed. The several receivers are indeed instructed to exchange it. But what can that instruction avail if specie be not placed in their hands for the purpose ? and how can that be effected but by a vigorous collection of taxes ?

I know that my solicitude on this subject will be charged to improper motives, when I urge a reduction of expenses, it will be said that I wish to impair the strength and lessen the respectability of our country. Far other wishes swell my bosom, but I have been driven into a conviction that the necessity of strength and the advantages of reputation are not yet sufficiently felt and understood by all the members of our federal union.

My present call for taxes has also been anticipated

by a slanderous report that I have speculated on this very paper which I urge the redemption of. Most solemnly I declare that I have been never concerned, directly or indirectly, in any such speculation. If there be a man in the world who knows any instance to disprove what I say, let him step forth with the accusation. No, sir, the object is in no wise a personal one to me, I only advocate the interest and reputation of America. If, with a view to injure me, the attempt is made to violate my engagements, the malice will be defeated; but at the same time let it be remembered that the country which will not support faithful servants can never be faithfully served. Guilt and desperation will ever pant for scenes of tumult and disorder, office will ever excite envy, and malevolence delight in slandering tales. Is it then to be wondered at that my foes are numerous? Believe me, sir, if their attempts had only effected me and mine they should have been received in the same silence which has buried many other wrongs. But on the present occasion it becomes my duty to delineate their baneful influence.

Pains are taken to cover with infamy all those who discount the public paper. The natural effect of this measure is to prevent those men from meddling with it who, from a regard to their own reputations, would do the business on moderate terms. Hence it follows that the holders cannot obtain so much for their paper as they otherwise might. Hence again an additional clamor, and of course an additional loss to the possessors. On the basis of the depreciation is founded an argument to

prevent the redemption. By these means the public credit is totally ruined, and the government becomes chargeable with flagrant injustice. No future anticipations can be made to supply the most urgent wants, and in the whole proceeding those are made the victims who confided in the faith of government.

The attempt therefore, by this slander, to injure me is an injury to those who have received my paper, and in every instance where they have joined in propagating the report they have joined their enemies to plunder themselves. Let me no longer intrude on your Excellency's patience than to declare my conviction that the states might easily fulfil far more extensive engagements than those which I have made on their account. Notwithstanding every insinuation, I will continue my efforts for the purpose, and, though base minds should reiterate their charges, I will persist in my duty and defy their malice.

With perfect respect, I have the honor to be, sir, your Excellency's most obedient and humble servant,

ROBT. MORRIS.

His Excellency, the Governor of New Jersey.

From Elias Boudinot to the Chairman of Joint Meeting.

Princeton, October 29th, 1783.

Sir,—My time in the chair of Congress having just expired, and the seventh year of my expulsion from my house and estate completed (the greater part of which has been devoted to the public service) whereby my

private affairs are become totally deranged, shall I beg the favour of you, sir, to make known my request in the most respectful manner, to the honorable the Legislature of this state, in their joint meeting, for their permission to retire to private life ; and at the same time to assure them of the deep sense I retain of the honors I have received from them by the repeated trusts reposed in me. My highest ambition has been to serve my country in her distress. This I have endeavoured to do to the utmost of my power, and if at any time I have failed in so important a duty for want of abilities, it has been made up by the most unfeigned integrity. If those services have been acceptable to my country, I shall receive a most ample reward.

Suffer me in the most respectful manner to congratulate you, sir, and the legislature, on the accomplishment of the honorable and glorious peace with which my administration has been honored. I mean not by this request to embarass public measures, but as peace is at least so firmly established, and the serving our country the highest honor to which any citizen can now aspire, there can be no doubt of a choice of candidates to fill so distinguished an office.

May the best of heaven's blessings descend on the legislature, and may all their councils be directed to accomplish the true interests of this happy republic ; and be assured that in whatever situation divine Providence may think proper to place me, I shall never cease to pray for their prosperity.

I have the honor to be, with great respect and

esteem, your most obedient and very humble servant,

ELIAS BOUDINOT.

Hon'ble Chairman of the Joint Meeting of the Legislature.

William Livingston to the Legislature.

Trenton, November 8th, 1783.

GENTLEMEN,—I am very sensibly affected with the honor conferred on me by the representatives of the good people of New Jersey, in appointing me to so eminent and important an office as that of Governor of this state. The favorable opinion which they are pleased to entertain of my abilities, and the great confidence they repose in my integrity by such appointment, deserves my warmest acknowledgments. How much soever they may happen to find themselves mistaken in the first, I assure them that I am determined to merit the latter; and I hope by the more diligent application and greater industry in promoting the common weal, in some measure to atone for the defect of brighter talents and more extensive knowledge.

WILL. LIVINGSTON.

Hon'ble Legislature of New Jersey.

From the President of Congress to Governor Livingston.

Annapolis, December 23d, 1783.

SIR,—I am directed by Congress to inform your Excellency "that the safety, honor and good faith of the "United States require the immediate attendance of "your delegates in Congress. That there have not "been during the sitting of Congress at this place "more than seven states represented, viz. Massachu-"sets, Rhode Island, Pennsylvania, Delaware, Mary-"land, Virginia and North Carolina, and most of these "by two delegates only, and that the ratification of the "definitive treaty and several other matters of great "national concern are now pending before Congress "which require the utmost dispatch, and to which "the assent of at least nine states is necessary."

I have the honor to be, with the highest respect, your Excellency's ob't and h'ble serv't,

THOMAS MIFFLIN.

His Excellency, the Governor of New Jersey.

From the President of Congress to Governor Livingston.

Annapolis, December 24th, 1783.

SIR,—I had the honor to write to your Excellency on the 23d November informing you that that the definitive treaty had arrived, and that the last article of it

declares that it should be ratified and exchanged within six months from the signature.

Yesterday I again wrote to your Excellency by order of Congress informing you that only seven states were represented in Congress, viz. Massachusetts, Rhode Island, Pennsylvania, Delaware, Maryland, Virginia and North Carolina, and that the ratification of the definitive treaty and several other matters of the greatest consequence were delayed by a want of a representation of nine states. My letter of yesterday was forwarded by the post, but as Congress are strongly impressed with an apprehension that the time mentioned in the definitive treaty will elapse before a representation of nine states can be obtained, and as such a representation cannot take place unless New Jersey and Connecticut send on their delegates, they have instructed me to write to you by express. and to urge in the strongest terms the importance of an immediate representation in Congress from the state of New Jersey.

Let me, therefore, earnestly entreat your Excellency to use your influence on this important point, that the consequences to be expected from the want of an immediate representation of nine states may not be imputable to your state, which on every former occasion has exerted herself with so much honor and reputation.

New Hampshire has but one member attending, and there is no probability of a representation of that state in less than six weeks.

New York has no delegates in Congress nor can it be represented in many weeks.

South Carolina has one member attending, one of the delegates from that state is in ill-health at Philadelphia, his attendance is uncertain.

By letters from Georgia, we find there is no probability of a representation from thence this winter. From this view of our situation your Excellency will observe that the ratification of the definitive Treaty in proper time depends upon the immediate exertions of New Jersey and Connecticut.

I should be glad to know from your Excellency by the return of this express at what time we may expect a representation from your state.

I have the honor to be, with the highest respect and esteem, your Excellency's ob't and h'ble servant,

THOMAS MIFFLIN.

His Excellency, Governor LIVINGSTON.

N. B.—Near 4 months have elapsed since the definitive treaty was signed, and the ratifications are to be exchanged in Paris within six months.

From Governor Livingston to the Legislature.

Trenton, Oct. 24, 1784.

GENTLEMEN,—My appointment by so respectable a body as the representatives of this state, to the important office of the Chief Magistrate in it, deserves my warmest gratitude, especially as the repetition of it, after the experience of some years is the strongest proof

of the favorable opinion which the good people of New Jersey must have been pleased to entertain of my fidelity in the administration of the government, and I can assure them that it is rather the honour derived from the incontestible testimony of their favorable sentiments concerning me, and the pleasure I take in serving the public, than from any pecuniary motives, that I accept of the appointment. Upon this, I wish them to be persuaded, that with respect to integrity and diligence (however they may happen to be disappointed as to my talents or abilities,) they will not be deceived in their expectations.

WILL. LIVINGSTON.

Hon'ble the Legislative Conncil and Gen'l Assembly of the State of New Jersey in Joint Meeting.

From the Secretary of Congress to the Governor.

Office of the Secretary of Congress,
August 24th, 1785.

Sir,—I beg leave to remind your Excellency that all the calls which Congress have heretofore made on the states for money or supplies have been on this express condition, that the sums or supplies assessed should not be considered as the proportion of any state, but that being paid or furnished, they should be placed to their respective credits, bearing an interest of six per cent. per annum, until the quotas should be finally ascertained and adjusted by the Congress of the United States, agreeably to the eighth of the articles of the confede-

ration. And if then it should appear that any state had assessed more than its just quota, it should continue to receive interest on the surplus, and if less, it should be charged interest on the deficiency until by a future tax, such deficiency shall be justly adjusted.

From the progress that is made in settling the accounts between the United States and individual states and private creditors within the same, and the measures taken to hasten and facilitate the progress of such settlement, there is reason to hope, that this great work will soon be completed. And as almost every state seems to think its advances have exceeded its just proportion, it is therefore become necessary and essential to the harmony of the Union that Congress should be furnished with the means of settling the proportion to be borne by each state, as well as of the general expenses of the war, and the requisitions made since the conclusion thereof, as the sums which may from time to time be requisite for the common defence and general welfare. To this end I beg leave to call your attention to sundry acts of Congress on this subject, which you will find enclosed, viz: One passed the 20th of February, 1782, which is founded on this consideration, that the states having been variously affected by the war, the rule of confederation strictly adhered to might not produce that equal justice which is desirable in this important object. One of the 17th February, 1783, which calls for a return of the quantity of land in each state, granted to or surveyed for any person. the number of buildings thereon, distinguishing dwelling houses

from other buildings, and the number of inhabitants, distinguishing white from black: and one of the 18th April, 1783, recommending an alteration of the eighth of the articles of Confederation and perpetual union, and the adoption of a new rule of ascertaining the quotas of the states. This is comprehended in the act, and is a part of the plan at that time recommended to the states for restoring and supporting public credit; for obtaining permanent and adequate funds to discharge the interest and principal of the debt contracted and for providing for the future exigencies of the Union. The necessity of a rule to apportion the common expense, and the difficulties, delays and expense in the way of obtaining that pointed out by the Confederation, induced Congress to recommend that change; and the rather as the number of inhabitants, at least of the white inhabitants, is required for other purposes of the confederation. Besides, it was conceived that this rule would do more justice and produce less discontents among the states, and although not altogether free from objections, that it was liable to fewer than any other that could be devised, and therefore that the application of it to ascertain the quotas of the state, would supercede the necessity and save the expense and trouble of making a valuation of the lands with the buildings and improvements thereon.

The favorable reception this recommendation has met with induces a belief that this alteration will be finally adopted. By examining the files in this office I find that eight states have agreed to it, namely, Massa-

chusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, and North Carolina; and it is suggested that other states have adopted it, although the returns are not lodged in this office. But if all the states had agreed to adopt it, still it would be necessary for them to proceed a step further, and to make returns of their respective numbers before Congress can apply the rule. I must therefore request that your Excellency would be pleased to bring this subject again under the view of the Legislature of your state, and earnestly recommend to them, as they have authorized their delegates to subscribe and ratify the alteration recommended, to take speedy and effectual measures for numbering the inhabitants and make a return thereof to Congress. With respect to the other part of the plan contained in the act of the 18th of April, as it is not the immediate object of this letter, I shall only refer to the address which accompanied it, and which you will find enclosed, and beg leave to add this single observation, that every day's delay increases the embarrassments of the Union; and experience evinces how well Congress were founded in the opinion they gave on the 12th of February, 1783: "That the establishment of permanent and adequate funds in taxes or duties which shall operate generally and on the whole in just proportion throughout the United States, are indispensably necessary towards doing complete justice to the public creditors, and for restoring public credit.

I will not at present detain you farther than to request that your Excellency will be pleased to favour

me with an answer that I may be enabled to make report and discharge the duty required by the enclosed ordinance for regulating the office of Secretary of Congress.

With the greatest respect I have the honor to be your Excellency's most obedient and humble servant,

CHA^{S} THOMSON.

His Excellency, the Governor of the State of New Jersey.

From Benjamin Thompson to Governor Livingston.

Commissioner's Office, Newark, October 22d, 1785.

Sir,—Congress, since the appointment of commissioners to the several states for the purpose of bringing the public accounts to a final settlement, have in the most pressing terms repeatedly enjoined it on the commissioners to proceed in the various duties assigned them with the utmost expedition possible. Anxious to fulfill their intentions by a faithful discharge of the trust committed to my care, and impressed with the importance of the business as well to the general interests of the union, as to the particular interests of this state, I have not, I flatter myself, been deficient in diligence or attention towards the accomplishment of this much wished for object.

The extensive claims of the individuals of this state, and the impatience of the claimants to obtain final settlements, have hitherto engrossed my whole time and application, and rendered me incapable of any cogni-

zance of the general charges of the state. This business, however, from the considerable progress already made, I have good reason to expect will nearly close with the present year. It therefore now becomes my duty to address your Excellency, as the supreme executive authority of the state, on the important subject of the state charges against the union, whereon I must earnestly solicit, that your Excellency will represent to the Legislature at their ensuing meeting the necessity of speedily adopting some mode of collecting and bringing forward all such accounts of expenditures supplies and services made and rendered on the part of this state for account of the United States, as consistently with the acts and resolutions of Congress may be deemed proper charges; stated under their several heads and accompanied with the necessary vouchers to their support, conformably to the rules and directions prescribed by Congress for the settlement of the public accounts. Whatever method, sir, the legislature may find expedient to collect and bring forward the state accounts for liquidation and settlement, some time I presume must unavoidably elapse before any progress can be made by the person or persons charged with the business during that period. I hope to compleat my circuit through the several counties of the state and close the settlement of individual claims.

In full confidence, sir, that the legislature will on their meeting, as soon as may be, take the subject of this address under consideration, and order the things necessary to be done thereon, I shall hold myself

prepared to meet their appointment and proceed on the business that may be laid before me.

I have the honor to be, most respectfully, sir, your most obedient and most humble servant,

BENJ^{N} THOMPSON,
Commiss'r for Acct's of New Jersey,

His Excellency, Governor LIVINGSTON.

From Baron Steuben to Governor Livingston.

New York, November 13th, 1785.

SIR,—Having become the purchaser of that part of the estate of John Zabriskie, lying at the New-bridge, near Hackensack, and the term of payment being arrived, an order from the commissioners of the continental treasury on the treasury of New Jersey lies ready for the agent whenever he shall please to call for it.

Before I take the deeds for this place, I have to request the favor of your Excellency to represent to the legislature, that the only lot of wood belonging to the place was withheld by the agent at the sale on a doubt of its being included in the law because it is at the distance of three quarters of a mile from the house, and therefore could not, he supposed, be considered as "lying at the New-bridge," though on enquiry I find it was an appendage to the estate, and indeed is the only part of it on which there is a stick of wood; and it was bequeathed to J. Zabriskie by his father along with the house and mill; the lot consists of about 13 acres, it

was left unsold with the house and mill, though every other part of J. Zabriskie's estate was sold some years since, and being now unpossessed, great part of the wood is cut off, and the destruction daily increases. If the legislature meant to include it in the law, I must request that directions may be given to the agent to include it in the deed. If otherwise, as it is essential to the other part of the estate, I have to request that I may be permitted to purchase it at such valuation as may be thought just.

Your Excellency will, I flatter myself, excuse the liberty I take in requesting you to represent this matter to the legislature, and to obtain their decision on it so soon as the business before them will permit.

I have the honor to be, with great respect, sir, your Excellency's most obed't humble servant,

STEUBEN.

His Excellency, Governor LIVINGSTON.

From the Secretary of Congress to Governor Livingston.

Office of Secretary of Congress,
November 18th, 1785.

SIR,—I am sorry to inform your Excellency that notwithstanding it seems to be the intention of the confederation that all the states should punctually assemble in Congress on the first Monday in November, there are yet but five states represented, namely, Massachu-

setts, New York, New Jersey, Maryland and South Carolina, and one member attending from Georgia.

The late packets from Europe have, I understood, brought dispatches which demand the immediate and attentive consideration of Congress. I beg leave to transmit to your Excellency herewith enclosed a copy of a letter which I have received from the Secretary of foreign affairs, and hope you will be pleased to urge the delegates from your state to come forward as speedily as possible.

With the greatest respect, I have the honor to be your Excellency's most obed't and most humble servant,

CHA^{S} THOMSON,

His Excellency, the Governor of New Jersey.

From Patrick Henry to the Governor of New Jersey.

Richmond, February 23d, 1786.

Sir,—The General Assembly have appointed Edmund Randolph, James Madison, Jun., Walter Jones, St. George Tucker, Meriwether Smith, David Ross, William Ronald and George Mason, Esquires, Commissioners to meet others from the different states in the Union, at a time and place to be agreed on, for the purpose of framing such regulations of trade as may be judged necessary to promote the general interest.

I have to request your Excellency's attention to this subject, and that you will be pleased to make such communications of it as may be necessary to forward the views of this legislature.

I am, with great regard, your Excellency's obedient servant,

P. HENRY.

His Excellency, the Governor of New Jersey.

From the Secretary of Congress to Governor Livingston.

Office of Secretary of Congress,
March 1st, 1786.

SIR,—As many states in the Union continued to be unrepresented in Congress, or to be represented by only two members, notwithstanding the many recommendations of Congress for remedying these defects, particularly those of 1st of November, 1783, and the 19th of April, 1784; and as from the want of a complete representation, the great interests of the Union had frequently been, and continued to be, neglected or delayed, and the confederation itself or the administration thereof might be considered as the cause of evils which solely resulted from an incomplete representation, Congress judging it incumbent upon them to prevent opinions so derogatory to their honor, and so dangerous to the public welfare, did on the 17th of August last, pass a resolve whereby it became the duty of the Secretary of Congress once in every month to transmit to the Legislatures of the respective states a list of the states represented, and of those unrepresented in Congress, and of the members from each state. The object of this resolution was, that effectual measures might from

time to time be taken by such states as were unrepresented or represented only by two members, to remedy these defects.

In the execution of this duty I have had the honor every month since of transmitting to your Excellency a monthly statement of the representation of the states in Congress to be laid before your Legislature. The statement which accompanies this, and which I have to request the favor of your Excellency to communicate to the Legislature, is for the month of February last. By this and the three other statements transmitted since the meeting of Congress on the first Monday in November last, your Excellency and the Legislature will see that there has not been for a single day, a number of states assembled sufficient to proceed on the great business of the Union; indeed, for half the time, not a number sufficient to do more than to adjourn from day to day.

With the greatest respect, I have the honor to be your Excellency's most obedient and most humble servant,

CHAS THOMSON.

His Excellency, the Governor of New Jersey,

From the Secretary of Congress to the Governor.

Office of Secretary of Congress,
April 22d, 1786.

SIR,—In obedience to the order of Congress I have the honor to transmit to your Excellency herewith

enclosed copies of the Treaties which the United States in Congress assembled have, by their commissioners, entered into with the Shawanese, Cherokee, Choctaw, and Chickasaw Indian nations.

Considering how much the security, comfort, and happiness of the frontier settlements depend on being at peace with the neighboring Indians, and how important it is to the whole confederacy, that the savages on our borders be impressed with a sacred regard for treaties, and with a firm, unshaken confidence in our justice, honor, and national faith, solemnly pledged, I have no doubt but your Excellency will exert the means in your power to enforce a due observance of the several articles of these treaties, so far as they concern your state or relate to the conduct of its citizens.

I have the honor to be, with great respect, your Excellency's most obedient and most humble servant,

CHA^{s} THOMSON.

His Excellency, the Governor of New Jersey.

INDEX.

Andover Furnace. Applications for its use by the United States, 113, 114.
Barns. Capt. Andrew, 263.
Barton. Lieutenant Wm., 61.
Beavers. Col. Joseph, 46.
Biddle. Clement, Dep. Qr. Mr. Genl., 11, 126, 139.
Bishop. David, recommended for Major, 24.
Board of War. Despatch from, respecting Andover Furnace, 113.—Respecting clothing, 134.—Transmitting returns of troops, 168.—Giving information of two cannon at Carlisle, 243.
Boudinot. Elisha, letter from, recommending officers for Newark Militia, 58.—Recommended for office of Deputy Surrogate of Essex, 72.—Accepts temporarily the Secretaryship of Committee of Safety, 105.
Boudinot. Elias, Letter resigning his seat in Congress, 346.
Brearley. Col. David, Letter from, with prisoner, 60.
Bruen. Caleb, 72.
Bull. Col. John, Letter from, relating to pay of soldiers, 34.
Burlington County. Militia of, 70, 91.—Troop of horse in, recommended to be raised, 74, 85.
Chambers. Col. David, 24.
Chandler. Mrs. of Elizabethtown, 151.
Charleston. News of surrender of, 221, 227.
Chew. Chief Justice of Pennsylvania, confined in Hunterdon county.
Chew. Lieut. Aaron, 263.
Clark. Abraham, Letters from, on public affairs, 25, 212, 267, 324.—Desiring to resign, 279.—On the Islands, &c., in the Delaware, 289, 300, 322.
Clark. Elijah, and John Cox, Letter from, relating to a suspicious vessel, 61.
Clinton. Gov'r, of New York, Letter from, respecting outrages on Long Island, 185.
Condict. Silas, Letter from, accepting appointment as one of the Council of Safety, 49.
Confederation. Dr. Scudder, one of the Delegates in Congress, asks for authority to sign for New Jersey, &c., 119.
Continental Congress. Despatch from, relating to defence of New York, 6.—To Surgeons, &c., 13.—pay of the army, 14.—intercourse with the enemy, 18.—to extraordinary powers vested in Commander-in-Chief, &c., 21.—ordering 500 men to Billingsport, 63.—complimenting militia of New Jersey, 98.—requisition for 4000 militia, 99.—relative to clothing, 106.—to engrossers, 111.—respecting movements of enemy, 116.—in relation to currency and finance, 215, 240, 258, 270, 274, 277, 352.—calling for reinforcements, &c., 231, 297.—in relation to supplies, 266, 278.—transmitting thanksgiving proclamation, 291.—address of, to the states, 297.—complaining of non-attendance of members, 249, 359, 361.—transmitting Indian treaties, 362.
Collins. Isaac, Letter to Council, respecting article in the New Jersey Gazette, 199.
Committee of Co-operation. Letters from, 130, 132, 140, 225, 233, 239, 244, 248.
Committee of Safety. Resolves of, for the defence of New York, 4.
Cook. Lieut. Thomas, 263.
Cousins. Capt. John, 263.
Covenhoven. John, 18.
Covenhoven. Capt. Jacob, 263.
Craig. Captain John, 92.
Cumberland County. Inhabitants of, holding intercourse with the enemy, 89.—Business in Courts of, 135.
Curtis. John, of Shrewsbury, Accused of participation in intercepting a despatch, 34.—To be apprehended, 56.
DeHart. John, Acceptance of Chief Justiceship, 11.
DeHart. Col. Wm., 20.
Delaware. Divisions of Islands, &c., in, between N. J. and Penn., 289, 300, 322.
Deserters. Letter from Gen. Washington respecting them, 23.—Action of Congress relative to, 221.

Dickinson. Gen. Philemon, Letter from, requesting to be relieved. 30.—Accepts commission as Major General, 73.—On public affairs. 84.—On the condition of the militia. 280.
Duyckink. Colonel, Secured, 54.
Egg Harbor. Suspicious vessel off, 61.—Thought to be invested by the enemy, 68.
Elizabethtown. Position of affairs at, 9, 117.—Prisoners at, 78. 91, 98, 153.
Ellis. Major William, 263.
Elmer. Jonathan, Letter from, on retiring from Congress, 109, 128.
Embargo, 218.
Engrossers. Complained of, 111,132,133,140.
Essex County. Militia of, 81.
Ewing. Major, 89.
Fell. John, Letter from, complaining of non-attendance of his colleagues in Congress, 141.—On public affairs, 204.
Flower. Col. Benjamin, Letter from, respecting Andover Furnace, 114.
Forman. S., 19.
Forman. Genl. David, 80. 104.
Franklin. Benjamin, Letter from, to Robert Morris, relative to financial arrangements abroad, 322.
Frelinghuysen. Col. Fred., Letter from, on public affairs, 95.—With prisoners sent to Princeton, 98.—Mentioned, 141, 176.—Letter from, respecting services as member of Congress, 155.
Gifford. Capt. Wm. B., 263.
Gloucester County. Militia in ordered towards Philadelphia, 100.
Grey. Major, 16.
Hackensack. Suspicious persons in, 7.—Post-rider between it and New York, 93.
Halsey. Luther, 32.
Hancock. John, President of Congress, Letters from, 6, 13, 14, 18, 21, 63, 98, 99, 106, 111, 116.
Hanson. John, President of Congress, Letter from, 296.
Hay. Major, 263.
Hayes. Major Samuel, 75, 81, 82, 86.
Hazard. Ebenezer, In relation to Hackensack post-rider, 93.
Heard. Gen. Nathaniel, 45, 69, 74.
Heath. General W., Address of, in behalf of officers, to General Washington, 334.—Gen. W.'s answer, 337.
Heavland. Lieut. Charles, 326.
Hedden. Joseph, Jr., Letter from, with names of "Tory women," 72, 82.—On the condition of Newark. 76.—With names of prisoners in Newark and Elizabethtown, 78.—With prisoners from Newark, 83.
Henry. Patrick, Letter from, 360.
Holmes. John, 19.
Holmes. Col. Benjamin, Resigns his commission, 129.
Holmes. Lieut. Jonathan, 263.
Howell. Lewis, 32.
Hopkinson. Francis, Letter from, respecting John Curlis, 56.
Hunterdon County. Militia of, 95.—Governor Penn confined in 101.—Business in Courts of, 135.
Huntington. Samuel, President of Congress, Letters from, 215, 231, 240, 258, 266, 270, 274, 277, 278.
Houston. Wm. H., Letter from, respecting business before Congress, 191, 200, 204, 217, 221.—Giving information of surrender of Charleston, 221.
Jones. Capt. David, Recommended for Major, 24.
Kelsey. Enos, With return of clothing, &c., wanted for the troops, 183.
Kennedy. Archibald, Application for parole, 12.—Apprehensions respecting, 108, 153.
Lee. General, 87.
Lee. Arthur, Commissioner at Madrid, Proceedings in Congress in relation to his recall, 191.
Little. Lieut. Thomas, 263.
Livingston. Governor, Letter from, to Vice Pres't of Penn. Council of Safety, relating to prisoners, 32.—Orders to General Winds, 80.—Letter to General Washington, 81.—Ordering militia to oppose progress of enemy towards Philadelphia, 100.—To President of Congress in relation to Gov. Penn and Chief Justice Chew of Pennsylvania, 101.—Transmitting letters, 123.—Relative to organization of militia, 175.—The insufficiency of his pay, 294.—On his election as Governor, 348, 351.
Livingston. Robert R., Letter from, transmitting provisional treaty of peace, 330.
Lloyd. Lieut. Bateman, 263.
Lowery. Col., 24.
Lowery. Captain, 87.
Macomb. Mr., Taken prisoner, 86.
Manly. Captain, 87.
Maryland. Tories in, 27.
Massachusetts. Measures of Legislature of, regulating prices, &c., 28.
Maxwell. Col. Wm., Letter from, respecting the clothing of the troops, 103.—As General, presenting the grievances of the troops, 146, 159.—In relation to public affairs, &c., 151.
McCloud. Captain, A prisoner on parole, 153.
McKean. Thomas, President of Congress, Letter from, 291.
McWhorter. Rev. Alex'r, Letter from, transmitting names of officers for militia of Newark, 58.
Mifflin. Thomas, President of Congress, Letter from, 349.
Monmouth. Suspicious persons in, 7.
Morris County. Militia of, 81, 94.
Morris. Judge, Letter from, relating to proceedings at Sussex Court, 63.

Morris. Robert, Letters from, on the finances and accounts, 282, 318, 320, 332, 340, 242.—In relation to supplies, 287.
Munn. Lieut. John, 263.
Newark. Officers of militia recommended, 58.—Women of, whose husbands were with the enemy, 72, 82.—Certain of them removed, 75.—Situation of, June 1777, 76.—Prisoners at, 78, 84.—Uneasiness at, respecting Captain Kennedy, 108.
New Brunswick. Prisoners taken near, 54, 57, 60.
Newcomb. Brig. Gen. Silas, 89.
New York. Measures for defence of, 4, 6.—General, commanding at, to Provincial Congress, 7.—Governor of, on outrages committed on Long Island, 185.—Proceedings of Legislature upon prices, 195.
Officers. Memorials to Legislature of, belonging to Jersey brigade, 143, 156, 157.—Comments of Gen. Washington on their grievances, 161, 166.—Memorial of, to Gen. Washington, 164.—Imprisoned on Long Island, 263.—Half pay authorized by Congress, 267.—Letter of General Washington to Congress, respecting grievances, 333.—Address of, to Gen. Washington, 334.
Osman. Benjamin, 32, 263.
Paramus. Persons accused of taking tea from, 69.
Parsons. Lieut. John, 263.
Paterson. William, 79.—Letter from, on public matters, 86.—In relation to prisoners in Morris, &c., 107.—Declining appointment of Delegate to Congress, 269.
Paul. James, 263.
Penn. Gov., of Pennsylvania, confined in Hunterdon County, 101.
Pennsylvania. Embargo law of, 200.—Case of sloop Active in, 203.—Division of Islands, &c., in Delaware bay and river, 289, 300, 322.
Pettit. Charles, Letter from, relating to public records, 47.—Transmitting forms, &c., 67.—On public affairs, 69.—Mentioned, 88.—As Qr. Master Gen., in relation to forage, 123.
Pickering. Timothy, Quarter Mr. General, Letter from, relative to forage, 264.
Polhimus. Lieut. Tobias, 263.
Prices. Regulation of, Measures of Massachusetts, 28.—Minutes of Commissioners, therefor, 34.—Recommended, 133.—Measures of New York respecting, 195.—Measures of Congress, 204, 214.—Proceedings of Convention for, 212.
Prisoners on Long Island, Sufferings of, 260.—Memorial from, 261.
Putnam. Gen. Israel, Letter from, with prisoners taken at New Brunswick, 57.
Raritan. Prisoners taken on, 59, 88.
Rumsey. Benjamin, and Wm. Smith, Letter from, relating to a Mr. Campbell, 50.
Scott. Capt., 17.
Schanck. John, Recommended for Adjutant, 24.
Scudder. Nathaniel, 142.—Letter from, on public affairs, 119, 204.
Seely. Col. Silvanus, 91, 246, 254.
Sergeant. Jonathan D., Letter from, requesting to be permitted to resign his seat in Congress, 25.—Mentioned, 27.
Shrieve. Colonel Israel, 16, 31.
Shute. Capt., 17.
Shute. William, 32.
Skinner. Abra'm, Commissary of Prisoners, Letter from, 260.
Smith. Wm., and Benj. Rumsey, Letter from, relating to a Mr. Campbell, 50.
Smock. Col. John, 263.
Smock. Capt. Barns., 263.
Smock. Henry, 263.
Smyth. John, Treasurer, &c., 1, 2, 3.
Spencer. Col. Oliver, 22.
Springfield. Enemy at, 238.
Staten Island. Arrival of the enemy at, 8.—Affair on, 95.
Stevens. John, 3, 269, 280.
Steuben. Baron, Letter from, relative to purchase of land in Bergen, 258.
Stout. Major Cornelius, Recommended for Lieut. Col., 24.
Stout. Lieut. Abra'm., 263.
Sullivan. James, Letter from, relating to an act of the Legislature of Massachusetts for regulating prices, &c., 28.
Sullivan. General, 95.
Suspected Persons in Monmouth and Hackensack, 7.
Sussex County. Persons in, enlisting men for the enemy, 46, 47.—Proceedings of Court held there, 63.—Prisoners in, 77.—Militia of, 81.
Supplies. Scarcity of, in Bergen, 154, 256.
Symmes. Chief Justice John C., 63.—Letters from, respecting prisoners in Sussex County, 77.—Referring to persons tried in Hunterdon and Cumberland, 135.—Relative to complaints of soldiers, 240.
Taylor. Edward, Complained of, 81.—Letter from, 96.
Taylor. Major John, Letter from, with prisoners from Raritan, 59.—And New Brunswick, 60.
Taylor. Col. John, Letter from, in relation to the condition of the militia, 177.
Taylor. Col. George, 18.—Refuses to take the required oath, 19.
Thanksgiving proclamation, 291.
Thompson. Benj., Commissioner of Accounts, Letter from, 350.
Thompson. Andrew, 263.
Treasury of East Jersey. Removal of, 1, 2, 3.
Tucker. Samuel, 1, 2, 3.
Van Brunt. Major Hendrick, 263.
Virginia. Action of, for the regulation of trade, 260.
Wade. Francis, 52, 53.

Washington. General, Letters from, 23, 54, 104, 161, 166, 172, 173, 181, 187, 206, 207, 219, 228, 235, 236, 238, 242, 246, 254, 256, 303, 306, 310, 312, 317, 333, 337.—Conduct of, adverted to, 26, 204.
Webster. Capt. John, 88.
Whitlock. Lieut. James, 263.
Wilson. James, 34.
Williamson. Brig. Gen. Matthias, Acceptance of commissions, &c., 9.
Winds. Gen. William, 80.—On the position of officers at Elizabethtown, June 1778, 117.
Witherspoon. Dr., 120, 141, 204.
Woodward. Jesse, of Monmouth, His examination, 51.—Sent to the Council of Safety, 53.
Woodbridge. Enemy's landing on Neck, 92.
Wyckoff. Col. Ocky, 263.
Zabriskie. Col. John, 11, 358.

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